

352.0773
C433a
~~1~~

UNIVERSITY OF ILLINOIS
LIBRARY

Class

Book

Volume

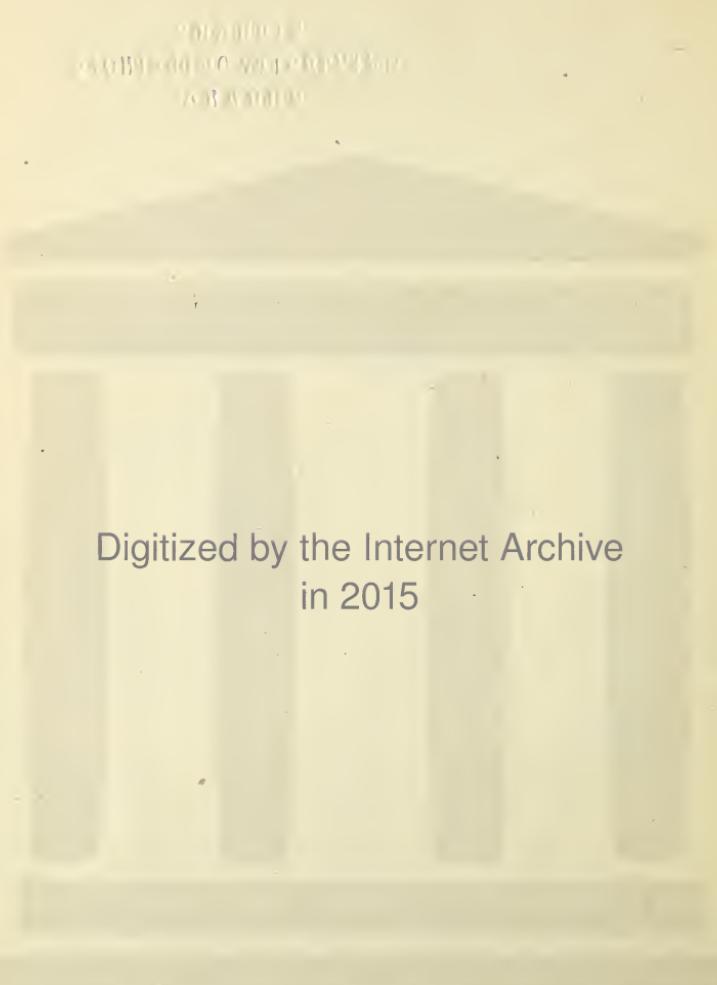
352.0773 C433^q
pam

My 08-15M

AN ACT
TO PROVIDE A CHARTER
FOR THE CITY OF CHICAGO

Chicago Charter Convention
Convened, December 12, 1905

MILTON J. FOREMAN Chairman
ALEXANDER H. REVELL Vice-Chairman
M. L. MCKINLEY Secretary
HENRY BARRETT CHAMBERLIN.... Asst. Secretary
312 Record Herald Building



Digitized by the Internet Archive
in 2015

AN ACT

TO PROVIDE A CHARTER FOR THE CITY OF CHICAGO

ARTICLE I.

CONSOLIDATION.

1—1. All powers not abrogated by this charter which are now vested in the city, board of education, township, park or other local governments and authorities having jurisdiction confined to or within the territory of the City of Chicago, or any part thereof, shall be consolidated in the municipal government of the City of Chicago, and for that purpose all municipal corporations other than the City of Chicago, whose jurisdiction is confined as aforesaid, and their corporate authorities, shall be dissolved and abrogated and shall be merged in and united with the City of Chicago (except that towns or townships shall be deemed to continue in existence only in so far as their continued existence may be necessary to the collection of taxes); and the City of Chicago shall be the successor of said corporations, with all their property and corporate rights and subject to all their lawful debts, obligations and liabilities, whether such rights or liabilities be accrued or contingent. No town or park district shall hereafter be formed under general laws now in force, so as to be located entirely or partly within the limits of the City of Chicago. Upon the annexation hereafter to the city of Chicago of any territory containing within its boundaries the whole of any township, school or park district, or other municipal corporation, or any part of any such corporation, the remaining portion of which is already situated within the territory of the city, the local government and authorities of such township, school or park district, or other municipal corporation thus becoming included entirely within the city, shall, if the majority of the voters of such cor-

poration voting upon the question consent to such annexation, be consolidated in the municipal government of the City of Chicago, and such corporation and its corporate authorities shall thereupon be dissolved and abrogated, subject in every respect to the provisions of this article. The election commissioners shall, if necessary, furnish separate ballot boxes in which the votes of the voters residing within the territory of any such corporation may be received in order that they may be separately counted and returned.

Nothing in this section contained shall be construed to apply to drainage, improvement, or forest preserve districts.

1—2. The City of Chicago, as it shall be organized under this charter, shall be deemed to be the same corporation and shall continue to be vested with the same rights and property of every description, and to be subject to the same obligations and liabilities, accrued or contingent, as the City of Chicago as at present organized, and no legal proceeding to which the city is a party shall be affected by the change of organization, and all legal proceedings instituted by or in the name of or against any of the corporations or corporate authorities hereby abrogated shall be continued without abatement by or against the City of Chicago, either in the name of the City of Chicago or in the name by which they were instituted.

When a different remedy is given by this Act which may properly be made applicable to any right existing at the time this charter takes effect, the same shall be deemed cumulative to the remedies before provided and may be used accordingly.

1—3. All legal acts lawfully done by or in favor of any of the corporations or corporate authorities hereby consolidated shall be and remain as valid as though this Act had not been passed. This provision shall especially apply to contracts, grants, licenses, warrants, orders, notices, appointments and official bonds, but shall not affect any existing or contingent right to modify, revoke or rescind such acts.

1—4. All fines, penalties and forfeitures incurred or imposed before this charter takes effect for violation of the ordinances, by-laws or rules of any of the local authorities hereby consolidated, shall be enforced or collected by or under the authority of the city.

1—5. All causes of action accrued before this charter takes effect in favor of or against any of the corporations or corporate authorities hereby abrogated may be prosecuted by or against the City of Chicago.

1—6. All taxes and special assessments lawfully levied before this charter takes effect, by any of the local authorities hereby consolidated, shall be collected as if they had been lawfully levied by or under the authority of the City of Chicago.

1—7. All powers of taxation or assessment that may have become part of any contract of indebtedness incurred or entered into by any of the corporations hereby consolidated with the City of Chicago shall be preserved only in so far as their exercise may become necessary to save and protect the rights of creditors, and in the event of their so becoming necessary, shall be exercised by the corporate authorities of the City of Chicago to the same extent as the corporate authorities contracting such indebtedness would have been bound to exercise the same.

1—8. All ordinances, resolutions, by-laws, orders or rules in force in the City of Chicago or in any portion thereof at the time this charter takes effect and not inconsistent with the provisions of this charter, whether enacted by authority of the city or by any other authority, shall continue in full force and effect until repealed or amended, notwithstanding any change of organization affected by this charter.

1—9. Any property or funds held by any of the corporate authorities hereby dissolved upon any trust or subject to any charge, shall be held by said city upon the same trust and subject to the same charge. The proceeds of taxes or assessments levied and of all bonds or warrants issued and of all license fees, rates or charges imposed before this charter takes effect shall be applied to the purposes for which they were levied, issued or imposed.

1—10. The present boards of park commissioners and park boards shall continue to perform their official functions until the board of park commissioners herein provided for shall have been organized; and shall thereupon be abrogated.

All offices of the township governments hereby consolidated shall be abrogated by the adoption of this charter, except so far as their legal continuance may be necessary to the collection of taxes.

1—11. All officers ceasing to hold office shall deliver and turn over to the officers upon whom their powers and duties devolve all papers, records and property of every kind in their possession and custody by virtue of their office, and shall account to them or to any authority designated by the city council for all funds, credits or property of any kind with which they are properly chargeable.

1—12. Except as herein expressly otherwise provided the tenure of office of no officer and the terms of employment of no employe of the present city government or of any of the local governments or corporate authorities hereby consolidated with the City of Chicago shall be affected by such consolidation or by the abrogation of the authority under which he holds office or by the taking effect of this charter, and all the present employes and police officers of the park boards shall be subject to the provisions of the civil service law without original examination.

1—13. So far as the provisions of this charter are the same in terms or in substance and effect as the provisions of the laws which this charter supersedes they shall be construed as continuations of such provisions and not as new enactments.

ARTICLE II—ELECTIONS.

CHAPTER I.—IN GENERAL.

2—1—1. The qualifications of voters at municipal elections shall be determined by the general laws of the State.

2—1—2. Regular elections for municipal offices (not including those for the municipal court) shall be held on the first Tuesday of April.

2—1—3. If there is a failure to elect any municipal officer required to be elected, or if the person elected fails to qualify, the office shall be filled as if the same were vacant.

2—1—4. Special elections for municipal offices or for the submission of propositions to the voters of the city shall be called only by order of the city council.

CHAPTER II.

SUBMISSION OF PROPOSITIONS TO POPULAR VOTE.

2—2—1. Whenever this charter or any other statute provides that any proposition shall or may be submitted to the voters of the city, or of

any district of the city, for approval or consent, and that it shall not take effect in the city or such district until such approval or consent, or shall contain any provision of a like effect, the proposition shall be submitted, and if approved, shall take effect, as herein provided.

2—2—2. If the proposition is in the form of a statute, the Secretary of State shall transmit a copy of such statute to the officer whose duty it is to give notice of the election at which the proposition is to be voted on.

2—2—3. Unless otherwise provided by the authority requiring or authorizing the submission, the proposition shall be submitted at any special or regular election occurring not sooner than thirty days from and after the provision is enacted.

2—2—4. The provisions applicable to the election of municipal officers shall as far as practicable govern elections upon any proposition submitted to popular vote except as herein otherwise provided.

2—2—5. The notice of the election at which the proposition is to be voted upon shall briefly indicate its substance. The title, if any, of the measure shall be sufficient for that purpose. The election commissioners shall keep copies of the statute or ordinance containing the proposition to be voted upon at their office for free distribution or for sale at cost price as they may determine, and one or more copies thereof shall be kept on election day at each polling place for public inspection.

2—2—6. The proposition or propositions to be voted on at any election shall be printed on a ballot, which shall be separate from the ballot for candidates for office. The proposition, if a statute, shall be stated by its title (with such caption as the election commissioners may determine), and if an ordinance, in such summary form as may be designated by the city council; or in case the city council shall fail to make such designation, then in such summary form as the election commissioners may determine.

Below the statement of each proposition there shall be printed on two lines:

“FOR THE PROPOSED.....” (statue, ordinance, proposition, etc.,
as the case may be) and

"AGAINST THE PROPOSED....." (statute, ordinance, proposition, etc., as the case may be)

leaving at the end of each line a square space marked off for the insertion of the voter's mark, substantially as follows:

Caption (e. g.) City Hall Bond Issue.

Title.....

FOR proposed measure.....	<input type="checkbox"/>
AGAINST proposed measure.....	<input type="checkbox"/>

2—2—7. Whenever a proposition is submitted to the voters of the city or of a district thereof, the result shall be determined by the number of votes cast upon that proposition, unless it is expressly otherwise provided by the law requiring or authorizing such submission.

2—2—8. If the vote upon the proposition is in favor of its adoption, the statute or ordinance shall take effect in the city or district for which it has been adopted, from the time the result of the election is ascertained and declared, unless a later date is fixed in such statute or ordinance, or by the constitution.

If a proposition embodied in a statute or ordinance fails to be adopted it shall not be re-submitted under the authority of the same statute or ordinance until after a lapse of two years, and only upon a petition of fifteen (15) per cent of the legal voters of the city, voting at the last preceding election for Mayor, which shall be filed with the city clerk at least thirty days before the election at which the re-submission is desired.

2—2—9. Wherever this charter shall require a petition of voters for the purpose of having some measure submitted to popular vote or for the purpose of having the name of any candidate for any office placed upon the official ballot to be voted at any election, or for any other purpose, the signatures to such petition need not all be appended to one

paper, but on each paper there shall be printed or written a correct copy of such petition. Each signer shall add to his signature, which shall be in his own handwriting, his place of residence, giving the street and number of the house. A signer unable to write may make his mark, which shall be attested by an adult resident citizen, who shall place by the mark, in addition to his own name and place of residence, the name and residence of the signer. Each signature to the petition shall be verified by a statement (which may relate to a number of specified signatures) made by some adult resident citizen under oath before some competent official to the effect that he believes the signer to be qualified voter and either that he knows the signature to be genuine, or that the same was made in his presence and he verily believes the same to be genuine. If the signature is by a mark, the verification shall be by the attesting witness. Such statement or statements shall be attached to and filed with the petition.

CHAPTER III.—PRIMARY ELECTIONS.

2—3—1. The primary elections for delegates to constitute the various conventions of the different political parties or organizations of the city, or any part thereof, held for the nomination of candidates for public office in the city, or any part thereof, whose names are to be printed on the official election ballots printed and distributed at public expense in the city, or any part thereof, shall hereafter be held under and pursuant to this act. A convention to nominate candidates for public office to be voted for by the electors of an entire city shall be known as a "city convention." A convention to nominate candidates for public office to be voted for by the electors of an entire ward shall be known as a "ward convention."

Each nomination convention to nominate city officers shall be held within the boundaries of the city. All ward conventions shall be held within the boundaries of the respective wards. All conventions shall be held at the place designated in the call. A majority of the delegates entitled to a seat in the convention shall be necessary to constitute a quorum. Each political party shall designate for each convention in the

call or application filed by such party for a primary election to be held in accordance herewith the name of a resident voter of the city or ward as the case may be, to call the respective conventions to order and who shall preside only until the temporary chairman has been duly elected as provided herein. The person so designated may be chosen as one of the officers of the convention, provided that said person shall have all the qualifications and shall be chosen as required herein. All convention officers shall be delegates and shall be chosen upon a roll-call, such roll-call to be by wards for city conventions and by primary districts for ward conventions and announced by the chairman of such ward or district delegation. In case, however, the vote of any ward or district is challenged or disputed when announced, then the roll of delegates of such ward or district shall be called and the persons receiving the votes of a majority of the delegates shall be declared elected the officers of the convention. No adjournment or recess of the convention shall be taken before completing the nominations it was called to make, except upon a yea and nay vote taken upon a roll-call as aforesaid.

2—3—2. Any political party or organization which at the last preceding municipal or presidential election for Governor in this State polled at least five (5) per cent of the entire votes cast in the city for its candidate receiving the highest number of votes, shall be entitled under this act to hold one primary election on any day in the months of January, February or March immediately preceding any regular spring or summer elections; which primary election shall effect only the nominations for the offices to be filled at the particular spring or summer elections next and immediately following such primary election day: *Provided*, That such primary election day and certificates of nomination shall be subject to the provisions of section 7 of an act entitled "An act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public office, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," in force July 1, 1891, as amended; and such primary election day shall be at least six days before nomination certificates are required by law to be filed. Within the time limited, as aforesaid, such political party or organization, through its central committee or managing committee, may determine and name

the day for holding such primary election; but no two different political parties shall hold their primary elections on the same day; and the political party first applying, as hereinafter set forth, shall have the preference in the choice of days, in case two or more different political parties shall in their application appoint the same day.

2—3—3. No political party or organization shall be entitled under this act to hold a primary election unless at least twenty-five (25) days before such primary election day such political party or organization shall file with the board of election commissioners of the city a call or application in writing, which shall set forth:

First—The name of such political party and the address of the headquarters of the central committee or managing committee of such political party.

Second—The day on which such primary election is to be held.

Third—The name, place and time of every convention for the nomination of candidates for public office for which such primary election is called.

Fourth—The description of each of the various primary election districts, together with the names of the three persons for judges of election and two persons for clerks of election for each such primary district, also the designation of a polling place for each such primary district.

Fifth—The number of delegates from each such primary district to each convention: *Provided*, That the number of delegates from each of the different primary districts be proportioned equally to the number of voters of such political party in each district as shown by the last preceding presidential election returns: *And provided*, That each primary election district shall be allowed to be represented by at least one delegate to each convention in which such primary district is entitled to be represented.

Sixth—The name of some resident voter of the city or ward as the case may be, to call the respective conventions to order and who shall preside until the temporary chairman has been duly elected.

Provided, That all the organizations or subdivisions of any one general political party within the city shall hold their primary elections,

such as may then be in order, for the city or wards, together and on one and the same day; and each municipal or ward organization of the party that neglects to join shall forfeit the right to hold primaries for its particular nominations then due.

2—3—4. Such call or application shall be signed by the chairman and attested by the secretary of the central committee or managing committee of such political party or organization, verified by oath that the facts therein stated are true and that they are, respectively, the chairman and secretary of such committee. No person and no political party or organization shall use the name of another political party or organization (or any designation similar to that of another political party or organization) in such manner as to deceive voters.

2—3—5. At least ten (10) days before the primary election day designated as aforesaid by such political party, it shall be the duty of the board of election commissioners, upon the application of any political party entitled thereto as aforesaid, through its central committee, or managing committee, as aforesaid, to give notice of such primary election. Such notice shall contain the name of the political party or organization for which such primary election is to be held, the address of the headquarters of the central committee, or managing committee, of such party, the name, place and time of each convention according to the call aforesaid to be held by such party for the nomination of candidates for public office, the date upon which such primary election is to be held, the description of each of the various primary election districts, the location of the polling place for each such district, and the number of delegates to be elected from each primary district to each convention. But no failure or error in such notice or in the call or application aforesaid, shall invalidate any primary election actually held, and any primary election held pursuant to any notice substantially like the above notice shall be deemed to be held under this act, and all judges of courts of record in the city shall take judicial notice of the holding of such primary election under this act.

2—3—6. For purposes of primary elections under this act, in the more sparsely settled territory a regular election precinct may constitute a primary election district; but in populous sections, in order to save

expense, from two to seven, but no more, entire contiguous election precincts of the same ward in as compact a form as practicable, may be joined so as to form one primary election district, but in such manner that each primary election district, consisting of two or more regular election precincts, shall include at least three regular election judges and two regular election clerks residing within such primary district and belonging to the party establishing such primary district. In no event shall any primary district contain more than eight hundred (800) voters, to be ascertained by the party vote of the party holding said primary election cast at the last preceding presidential election. Primary districts, when lawfully established, shall remain as established for each party's successive primaries, except as changes may be necessitated by law.

In each such primary election district there shall be a primary polling place, which shall be as near the center of population of such district as is practicable, and such primary polling place shall be in the most public, orderly and convenient part of such primary district, and within a room permitting easy ingress and egress to voters, and no building shall be designated or used as such polling place in which spirituous or intoxicating liquor is sold, or which is within one hundred (100) feet of any place where such liquor is sold. The central committee or managing committee of any political party or organization entitled to hold such primary elections under this act shall establish such primary election districts and designate such polling places according to this act, not less than twenty-five (25) days before such primary election day.

2—3—7. Not less than ten days before such primary election day, the board of election commissioners, by the general election law authorized to appoint judges and clerks for general elections, is, and are hereby, empowered to appoint, and shall, for such primary election district, appoint and swear in from the list of duly appointed and regular election judges and clerks, and otherwise as herein provided, three judges and two clerks, who are members of such political party, to serve, respectively, as judges and clerks at such primary election: *Provided, however,* That such political party or organization, through its central or managing committee, shall have the right, not less than twenty-five (25) days before such primary election day, to designate and name for appoint-

ment for service at such primary election such certain of the regularly listed judges and clerks as were originally recommended and named or endorsed for appointment as regular election judges and clerks by such political party; and in case there are not a sufficient number of listed regular judges and clerks so originally recommended and named or indorsed by such political party to equip all primary polling places of such party, then such political party or organization may, not less than twenty-five (25) days before such primary election day, through its central or managing committee, recommend to such appointing power a sufficient number of qualified persons for appointment to serve as primary election judges and clerks to equip all the primary polling places of such party; and such board having such appointing power, to whom or to which such names are designated by such political party as aforesaid, shall, not less than ten days before such primary election day, select from the names so recommended, and shall notify, appoint and swear in such persons, if qualified to act as judges and clerks at such primary election; and such persons so appointed shall serve as judges and clerks, respectively, at such primary election. Except when only one or two regular election precincts form a primary election district, no two judges and no two clerks shall serve at the same primary polling place who reside in the same regular election precinct. In default of such designation or recommendation of such judges and clerks by such political party, and in any case of vacancy among primary judges and clerks, then such board having the appointing power as aforesaid shall appoint and swear in from the list of duly appointed and regular election judges and clerks who are members of such party, a sufficient number of judges and clerks to equip all the primary polling places of such party. Such judges and clerks appointed under this act shall take an oath of office substantially as follows, and shall subscribe their names to the same:

“I residing at, in the city of....., in the State of Illinois, do solemnly swear (or affirm) that I am a legal voter and a member of the..... party and a householder in the.....ward of the city of....., in the State of Illinois, that I will support the laws and constitution of the United States and of the State of Illinois, and that I will

faithfully and honestly discharge the duties of primary election judge (or clerk) for the.....primary election district of the.....ward, of the city of....., in the county of....., in the State of Illinois, according to the best of my ability.

Dated this.....day of....., A. D.

....."

In due time before such primary election day such appointing board shall notify every person designated as aforesaid and intended for appointment as judge or clerk of the fact of his selection; and he shall, unless excused by such board, for good cause, be appointed as a judge or clerk, respectively, and he shall then be bound to serve as such judge or clerk for the ensuing primary election. Such board appointing judges and clerks as aforesaid shall keep a record of the names of all such persons so notified to appear, and whether such persons were rejected for want of qualification or excused for cause; in such case the facts shall be noted. In case any person so notified fails to appear before such board, as required in this act, or if he do appear and refuses to serve, or if he shall be sworn to serve and fail to serve on the day appointed, he shall be guilty of a misdemeanor under this act, unless good cause be shown to excuse his default for such service. In case the person intended for appointment does not appear upon notification, then other persons shall be notified by said board as aforesaid until eligible persons are found who will serve. All persons subscribing to the oath as aforesaid, and all persons actually serving as judges and clerks at any primary election, whether sworn in or not, shall be deemed to be, and are hereby declared to be, officers of the county court of the respective county; and such persons shall be liable to punishment by such court in a proceeding for contempt for any misbehavior as such judge or clerk, to be tried in open court on oral testimony, in a summary manner, without written pleadings; but such trial or punishment for contempt of court shall not be any bar to any criminal proceedings against such primary judges or clerks for any violation of this Act.

2—3—8. All the laws of this State, respecting the general elections in this State, now or hereafter in force in any election precinct or dis-

trict in the city, except as the same are modified by the provisions of this act, and so far as the same are applicable to the primary elections provided for in this act, are hereby declared to be in force in each primary election district respecting the primary elections provided for in this act.

Polling places in the respective primary election districts shall be named, appointed, selected, provided, established, furnished, warmed, lighted, maintained, conducted, and supervised;

And all necessary ballot boxes, registry books, statements of votes, tally sheets, blanks, poll books, stationery and supplies shall be provided, furnished, delivered, returned and used;

And notice of such primary election shall be given and posted;

And all judges and clerks shall be paid, appointed upon the recommendation of the central committee or managing committee, as aforesaid, qualified, notified, directed, instructed, sworn, and vacancies in their number supplied;

And such primary elections in each election district shall be conducted, supervised, regulated and controlled;

And after being used at any primary election, all registry books, poll books, tally sheets, ballots, statements of votes, returns, ballot boxes, ballot box keys and other election paraphernalia shall be preserved, kept, stored, accounted for and returned;

And the polling places and the polls of such primary election shall be opened and closed respectively;

In the same manner and by the same board or judges and clerks, as is provided by law in force in any election precinct or district in the city, respecting the general elections, except as such general election laws are modified by this act, and except as to the time of appointing the respective polling places in the various election precincts or districts, which time shall be at least ten (10) days before each primary election day.

The board of election commissioners, or any or all of them, by the general election law authorized to furnish or have the custody of general election ballot boxes, general registry books of voters, and other election paraphernalia, shall, in due time before primary election day, notify one

or more of the judges of each election district to appear before such board in due time before primary day; and such judges shall appear within such time, and such board shall deliver to such judge or judges for each primary election district one ballot box, also one regular election registry book of voters for each regular election precinct included in the primary election district; also sufficient poll books, tally sheets, blank affidavits, oaths, statements of votes, delegates' certificates of election; also all other blanks, papers and supplies necessary to carry out the provisions of this act.

2—3—9. The expenses of conducting such primary election shall be paid by the city to which this act shall apply, as hereinafter provided, including the salaries of judges and clerks, the cost of ballot boxes, registry books, poll books, return sheets, stationery, supplies, polling places and such other expense as are necessary and incidental to carry out the provisions of this act.

The board of election commissioners shall audit all the claims of such judges and clerks of such primary election: *Provided*, That all expense incurred by said board of election commissioners shall be paid by such city. Such expenses are to be audited by the county judge and shall be paid by the city treasurer upon the warrant of such county judge out of any money in the city treasury not otherwise appropriated. It shall be the duty of the governing authority of such city to make provision for the prompt payment of such expenses. At all primary elections for city officers, though other than city officers may be nominated at the same time, and at all primary elections in a part of such city, such city shall pay such judges and clerks for their services under this act. At all general, county and State primary elections, though other than State and county officers are to be nominated, and at all primary elections where other than judicial officers are to be nominated, such county shall pay such judges and clerks for their services under this Act. Said board of election commissioners shall audit all the claims of judges and clerks and shall draw a warrant therefor upon such city or county treasury, as the case may be.

2—3—10. The judges and clerks of such primary election shall be

allowed the sum of five dollars (\$5.00) each per day for their services in attending such primary election.

2—3—11. In order to be qualified to vote at a party's primary election, the person offering to vote shall be a member of the particular party and legally qualified to vote at the next ensuing regular election. He shall be registered on the regular election registry books within the primary district and reside within the district in which he offers to vote: *Provided*, No person shall be deemed to be a member of a particular party if he has signed any petition for the nomination of any person with reference to the nominations for the next ensuing regular elections, or if he has voted at the primary election of another party within the period of one year next preceding: *Provided*, Any legal voter of a precinct shall be entitled to vote in case he shall file with the judges of the primary election an affidavit, stating the time when he removed into such precinct and the length of his legal residence in such precinct, county and State, and that he has removed into that precinct since the last registration of electors at the last election, and that he is a legal voter of such precinct, supported by an affidavit of a registered voter and householder of the precinct that he knows such person, and that his statements as to his time of residence, as aforesaid, are correct, and that such person is a legal voter in such precinct. But it shall be the duty of such judges of the primary election to examine him on oath as to his qualifications, and, if they are of the opinion that he is not a legal voter, or did not remove into such precinct since the last general or intermediate registration, they shall not accept his vote. The books of registry shall be used at such primary elections, and no one can vote unless upon such registry, except under the circumstances and through the method aforesaid. All affidavits shall be returned to the office of the Board of Election Commissioners by the judges of the primary election after every primary election.

2—3—12. None but legally qualified voters residing in the primary district to be represented shall be eligible as delegates to any convention of such party. Judges and clerks acting as such at any primary election shall be ineligible as delegates or alternates to any such convention. No person shall act as a delegate to any such convention except when elected

a delegate, according to this Act: *Provided*, That in the absence of a delegate, then delegates of the district present shall select any qualified member or members of the party as delegates to fill such vacancies. If no delegates from a given district are present, the vacant delegation may be filled by the delegate or delegates present from that ward. No delegate to any convention held under the provisions of this Act shall have any power or authority to name or appoint any proxy or substitute to vote for in his stead, and no proxy or substitute appointed by any delegate shall be binding or effective on any convention or conventions held under the provisions of this Act.

2—3—13. At such primary elections the manner of voting shall be by ballot. The ballots shall all be of uniform size, and ten and one-half (10½) inches in length and seven (7) inches in width. The ballots shall be printed or written, or partly printed or partly written, upon plain white print paper. Any person or persons may, at private expense, furnish such ballots, and no primary election ballot shall be furnished at public expense. The name of each delegate for whom the voter intends to vote shall appear on one ballot, on one and the same side thereof in plain letters, together with the name of the convention to which such delegates are to be elected. Immediately preceding the list of delegates to any convention may appear the name of the candidate or candidates for whom such delegates are expected to vote in such convention, or the word "unpledged" may appear, and at the top of the ballot may appear the simple party name, the primary district precincts comprising same and the location of the polling place. Unless ballots substantially comply with this Act, in size and color, the same shall be void for all purposes and shall not be received or deposited or counted by any person or judge at any primary election; and all ballots not in accordance with the provisions of this Act, but which by any mistake may have been deposited in the ballot box, shall be void, and shall be marked "defective" on the back thereof; but no ballot shall be defective because the voter depositing the same has named upon it a less number of delegates than such voter was entitled to vote for. If the voter votes for more persons than there are delegates to be elected, to a certain convention, or if for any reason it is impossible for the judges to determine the voter's choice, such ballot

or part thereof shall not be counted. Ballots not counted shall be marked "defective" on the back thereof, and ballots to which objection has been made by either of the judges or challengers shall be marked "objected to" on the back thereof, and a memorandum, signed by the judges, stating how it was counted, shall be written upon the back of each ballot so marked, and all "defective," or "objected to" shall be enclosed in an envelope securely sealed and so marked and endorsed as to clearly indicate its contents. The judges shall receive from any person and permit to be freely and equally exposed, in separate and orderly piles, within the polling place, near the ballot box and within reach of voters, a sufficient supply of each of the various primary tickets or ballots; and the judges shall hand one of each of the various tickets to each and every person qualified to vote; and whenever the supply of any of the various tickets becomes insufficient, the judges shall immediately mention the fact of such insufficiency to one or more of the candidates or persons interested in said ticket. Any judge or clerk, or any other person, who shall in any manner conceal or remove or destroy any such supply of tickets, or who shall hinder or prevent or interfere with the free and equal reception, exposure, distribution, use or supply of such various primary tickets or ballots, or who shall do any electioneering within 100 feet of the polling place shall, upon conviction thereof, be deemed guilty of a misdemeanor.

2—3—14. The polls of such primary election shall be opened at twelve o'clock noon, and continue open until seven o'clock in the afternoon of the same day, at which time the polls shall be closed; if any judge or clerk, without lawful excuse, shall be behind time for fifteen (15) minutes after the time for opening such polls, he shall be guilty of a misdemeanor under this Act and punished accordingly. No judge or clerk shall absent himself to exceed five (5) minutes at any time until the ballots are all cast and counted and returns made; and, when absent for any cause during such time, said judge or clerk shall authorize some one of the same political party with himself to act for him until his return. If any judge or clerk shall not be present after the expiration of fifteen (15) minutes from the time to open the polls, the judge or judges present shall fill the place of such absent judge or clerk and one of the

judges shall administer to such substitute the oath, as required of the judges or clerks when originally appointed, and blank forms shall be provided for such purpose, which oath shall be preserved and returned by the judges to the proper officer or the board, and such appointee shall be subject to the same punishment and penalties as any other judge or clerk. Whenever such regular judge or clerk shall be present such substitute shall cease to act. If all judges or clerks fail to appear at the proper time at the polling place, or in case no primary judges and clerks have been appointed as provided in this Act, then bystanding voters of such primary district, to the number of five (5) or more, of such political party may elect legal voters of such party to act as judges or clerks. Such judges and clerks, elected as last aforesaid shall have full power to conduct such primary election in accordance with this Act. Any judge or clerk who shall wilfully absent himself from the polls on such primary election day without good cause shall be guilty of a misdemeanor under this Act; and if any judge or clerk shall wilfully detain any registry book or poll book, or other election paraphernalia, and not cause it to be produced at the polling place at the opening of the polls, or for fifteen (15) minutes thereafter, he shall be guilty of a misdemeanor under this Act.

If for any good cause a primary election can not be held at the polling place designated or appointed as aforesaid, the judges of such polling place may, at the time set for the opening the polls of such primary election, adjourn such election to the most convenient polling place, near by, which is otherwise suitable according to this Act; and such judges shall publicly proclaim such change and post a notice of such change on the polling place originally appointed.

2—3—15. Before voting begins the ballot box shall be empty; and it shall be opened and shown to those present to be empty; and it shall not be removed from the public view from the time when it is shown to be empty until after the close of the polls. It shall be locked and the key delivered to one of the judges, and it shall not be again opened until the close of the polls. The judges of election shall each be held guilty of a misdemeanor, under this Act, if such ballot box shall not by them be kept constantly in public view during the progress of the election, unless

it shall be shown by any judge that he protested against any obstruction of the view of the ballot box and was overruled by the majority of the judges. Voters shall be admitted within the polling place, and there shall be permitted no handing in of votes through windows, doors, or other openings.

2—3—16. Each of the clerks of election, in the poll books kept by him, shall enter in the proper column the name of each person whose vote is duly received for deposit in the ballot box ; and in the column under the heading "Number" he shall note the successive number of each successive voter ; and in the column headed "Residence" he shall note the residence of each such voter. Each page of special book shall be substantially in the following form :

REPUBLICAN (OR DEMOCRATIC).

POLL BOOK.

Of a primary election held in the..... primary district of the..... ward, of the city of Chicago, county of Cook, Illinois, on the..... day of..... A. D. 190....

This is to certify that the within list is a correct list of (Republican or Democratic) voters at a primary election held on the..... day of..... A. D., in the..... primary district of the..... ward, in the city of Chicago, county of Cook, and State of Illinois.

And that on said primary election day..... 190...., the undersigned judges and clerks served, and are entitled to pay therefor.

.....
.....
..... } Judges of Election.

..... } Clerks of Election.
.....

Dated..... 19....

NO. OF VOTES.	NAMES OF VOTERS.	RESIDENCE.
1.....
2.....
3.....
4.....
5.....
6.....

Such poll books shall otherwise be of the form, and shall contain the same certifications, as nearly as may be, as the poll books used in the regular elections, and such poll books shall be signed and attested in the same manner as poll books for the purpose of general elections.

2—3—17. One of the judges of such election shall receive the ballot from the voter and shall announce the residence and name of such voter in a loud voice; such ballot shall be folded by the voter in such a manner that the contents thereof cannot be seen without unfolding such ballot. If the judges of election are satisfied that the person offering to vote is a legal voter, whose name is registered on the regular election registry books, and are satisfied that he is a member of the political party holding such primary election, and, if no challenge is interposed, the judge receiving such ballot shall again announce to the clerks of election the residence and name of the person offering such ballot, and such judge shall mark with pencil or ink the initials of his own name on the back of such ballot as it is folded and thereupon such judge, after holding up and showing the ballot to be so marked, shall immediately, in the presence of the voter offering such ballot, and keeping the same in plain view of the judges and clerks of election and of such voters and challengers as may be present, deposit into the slot of the ballot box the ballot thus received and marked, and no other and thereupon the clerks of election shall enter upon the poll books in the proper column the name and proper successive number of each voter and his residence. The judges and clerks, and each of them, shall see to it that each ballot is endorsed, as aforesaid. If such person shall be challenged as disqualified, the person challenging shall assign his reason therefor, and thereupon one of said

judges shall administer to the person offering to vote an oath to answer all questions truthfully, and if he shall take such oath he shall then be questioned by said judge or judges touching such cause of challenge, and touching any other cause of disqualification, and he may also be questioned by the person challenging him in regard to his qualifications and identity but if a majority of the judges are of the opinion that he is the person so registered and a voter qualified to vote at such party primary election, his vote shall then be received and deposited. But if the vote of a person apparently registered be rejected by such judges, such person may afterwards produce and deliver an affidavit to such judges, subscribed and sworn to by him before one of said judges, in which it shall be stated how long he has resided in any precinct within such primary district, and in the county and State; that he is a male citizen of the United States, and is a member of the political party holding such election, and is a duly qualified voter at such primary election in such district, and that he is the identical person so registered or so named. But the affidavit aforesaid shall be supported by an affidavit by at least two registered voters, who are householders residing in such primary district, stating their own residence and that they know such person to be a member of the political party holding such primary election, and that such person does reside at the place mentioned, and has resided in such primary district and in such election precinct, county and State for the length of time as stated by such person, which affidavit shall also be subscribed and sworn to as the affidavit last aforesaid. Whereupon the vote of such person shall be received and entered as other votes. But the clerks having charge of such poll book shall state in their respective poll books the facts in such case and the name of the person challenging and the affidavits so delivered to said judges shall be preserved and returned to the officer entitled to receive them. Any registered voter of the party in the district may challenge. Blank affidavits of the character aforesaid shall be sent out to judges of all the districts, and the judges of election shall furnish the same on demand and administer the oath without criticism. Such oaths, if administered by any other officer than a judge of election, shall not be received: *Provided*, that no judge, challenger or other per-

son shall in bad faith, or for purpose of delay, challenge or question registered voters of the district.

2—3—18. The judges of election shall permit each different ticket of delegates to be represented by a challenger, who shall be a resident of the primary district chosen by a majority of those named for delegates on any particular ticket. Said challengers shall be protected in the discharge of their duty by the judges of election and the police. Said challengers shall be permitted to remain within the polling place in such a position as will enable them to see each person as he offers his vote; and said challengers may remain within the polling place throughout the canvass of the vote and until the returns are signed.

The challengers shall be permitted to remain so near that they can see the judges and clerks are faithfully performing their duties.

2—3—19. The judges of election shall admit one or more policemen to be present in said polling place at the time of such canvass. None but the officers of such primary election, challengers and peace officers shall occupy such polling place except for the purpose of voting.

2—3—20. The judges of election shall have the power to administer and certify oaths required during the progress of any primary election held under this act, and they shall have authority to keep the peace, and to cause any person to be arrested for any breach of the peace or for any breach of election laws, or any interference with the progress of such election or of the canvass of the ballots, and it shall be the duty of all officers of the law present to obey the orders of such judges of election, and an officer making an arrest by the order of any judge for any violation of the provisions of this act shall be protected in making such arrest the same as if a warrant had been issued to him to make such arrest.

2—3—21. Immediately upon the closing of the polls the judges and clerks shall proceed to canvass the votes polled. If two or more ballots are found folded together and within each other, so as to appear to have been cast by the same person as one ballot, and the inner ballot or ballots are without the proper initial mark, as provided in this act, then all such ballots so folded together, including the outer one, whether such outer one is properly marked on the back thereof as provided in this act or

not, shall, as nearly as may be, in the same condition as found, be marked "stuffed," and such ballots shall be void and shall not be counted, and the same shall be placed in an envelope marked "stuffed ballots" which envelope shall be sealed and preserved, together with the other ballots. If the ballots remaining shall be found to exceed the number of names entered on the poll list, such judges and clerks shall reject the ballots, if any be found upon which the proper initial marks do not appear. If the number of ballots still exceeds the number of names entered on such poll list, the ballots remaining shall be replaced in the ballot box and the box closed and well shaken, and again opened, and one of the judges shall publicly draw out and destroy so many ballots unopened as shall be equal to such excess, keeping a note of the number of such ballots and noting the same on the statement of returns. Such judges and clerks shall then proceed to count, declare and record the votes in the following manner: The judges shall open all the ballots and place in separate piles those which contain the same names throughout. Each of the judges shall examine such separate piles and exclude from such piles any ballots which do not contain all the same names for all the same conventions. One of said judges shall then take one pile of the ballots which contain the same names and count them carefully, examining each name and convention on each of such ballots. Such judge shall then pass the ballots aforesaid to the judge sitting next to him, who shall count them in the same manner, and he shall then pass them to the third judge, who shall also count them in the same manner. The third judge shall then call the names of the persons named in such ballots and the conventions for which they are designated, together with the number of votes for each so far as counted, and the poll clerks shall tally the number of votes for each of such persons on tally sheets. When such judges have counted through such first pile of ballots containing the same names, and when the poll clerk shall have tallied the votes for each of the delegates named in such ballots they shall then take up the next pile of ballots containing the same names and shall count them in the same manner as last aforesaid. When the counting of each pile of ballots which contain the same names shall be completed the poll clerks shall compare their tallies together and ascertain the total number of ballots of that kind so canvassed, and when they

agree upon the number, one of them shall announce it in a loud voice to the judges. The judges shall then canvass the other kind of ballots, which, in names or conventions, do not correspond with one another. They shall be canvassed separately by one of the judges, sitting between two other judges, which one judge shall read to the clerks from each such ballot each name and the convention for which such name is designated, and the other judges looking at the ballot at the same time, and the poll clerks tallying the same. When all these ballots have been canvassed in this manner, the clerks shall compare their tallies together and ascertain the total number of votes received by each person, and when they agree upon the number, one of them shall announce in a loud voice to the judges the number of votes received by each person.

2-7-22. Such canvass shall not be adjourned or postponed until the several statements hereinafter required to be made by the judges and clerks have been made and signed by them. Upon the completion of such canvass, the judges of election shall declare the result thereof, and such declaration shall be *prima facie* evidence of the result. The judges of election shall make two statements of all the votes cast at such primary election. Such statement shall be substantially in the following form:

REPUBLICAN (OR DEMOCRATIC)

STATEMENT OF VOTES

STATE OF ILLINOIS, }
County of..... } ss.

At a primary election held on the.....day of.....
A. D. 19... between the hours of 12 o'clock noon and 7 o'clock p. m., at
.....in theprimary district of the.....
ward of the City of Chicago, County of Cook, and State of Illinois, the
following named persons received the number of votes annexed to their
respective names for the following described conventions, to-wit:

..... received..... votes for city convention
..... received..... votes for city convention
..... received..... votes for city convention
.....
.....
..... received..... votes for ward convention
..... received..... votes for ward convention
..... received..... votes for ward convention
.....

This is to certify that the foregoing statement, showing the total number of votes for each of the above mentioned persons for the conventions annexed to their respective names, is correct in every respect.

Given under our hands this..... day of.....

A. D. 19.....

.....
.....
..... } Judges of Election.

(Witnessed by)

..... } Clerks of Election.

Such statements shall show the whole number of votes given for each person, and the convention for which he is designated, and such judge shall certify that such statements are correct in every respect, and the clerks of election shall witness the same. Each such statement and each sheet of paper forming a part of such statement shall be subscribed by the judges and election clerks. If any judge or clerk shall decline to sign such statements, he shall state his reasons therefor in writing, and a copy thereof, signed by himself, shall be enclosed with each statement. One statement, after being made out as aforesaid, shall be enclosed in an envelope, properly endorsed and each of the judges shall write his name across every fold at which the envelope, if unfastened, could be

opened, and the same shall, by one of such judges be addressed and carried to the office of the chairman of the central committee or managing committee of such political party, who filed the call or application for primaries, and the receipt of such chairman shall be taken therefor. The other statement shall also be enclosed in an envelope, which shall then be securely sealed, and each of the judges shall write his name across every fold at which the envelope, if unfastened, could be opened. On the outside of such envelope shall appear substantially the following words:

"Statement of all Republican (or Democratic) votes cast at the.....
.....Primary District of the.....ward of the City of
Chicago, County of Cook, on the.....day of.....
A. D. 19...."

The envelope last aforesaid shall be addressed to the board of election commissioners, by the general election law charged with the duty of receiving and preserving election returns and one of the judges shall carry the same to such board and take a receipt for the same.

2—3—23. The judges of election of each primary district shall issue a certificate of election to each person who has received a plurality of all the votes cast for delegates to any particular convention from such primary district, and they shall deliver the same to the persons entitled thereto. In case two or more persons each receive the same and the highest number of votes cast for delegates to the convention, then the judges of election shall then and there decide by lot which person or persons shall be entitled to such certificates, and they shall issue to each such person so chosen such certificate, and make a note of such fact upon the statements provided for in this act. Such certificate of election shall be evidence *prima facie* of the right of the person therein named to a seat in the convention therein named.

2—3—24. Any person who shall wilfully, corruptly and falsely swear or affirm in taking any oath or affirmation prescribed by or upon any examination provided for in this act, and every person who shall wilfully and corruptly instigate, advise, induce or procure any person to swear or affirm falsely, as aforesaid, or attempt or offer so to do, shall be guilty of perjury or subordination of perjury, as the case may be, and

shall, upon conviction thereof, suffer the punishment directed by law in cases of wilful and corrupt perjury.

2—3—25. If any judge or clerk shall neglect or refuse to canvass the votes at the time and in the manner provided for in this act, or refuse to make the returns required in this act, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

2—3—26. Every judge of election, clerk or other officer or person authorized to take part in or perform any duty in relation to any canvass or official statement of the votes cast at such election in any district, who shall wilfully make any false canvass of such votes, or who shall make, enter, write, sign, publish or deliver any false return of such election, or any false statement of the result of such election, or any material writing incidental to such election, knowing the same to be false, shall, on conviction thereof, be adjudged guilty of a felony under this act.

2—3—27. If any person acting as judge at such primary election shall wilfully, fraudulently and without lawful excuse refuse to make out, sign or deliver to the person entitled thereto any certificate of election as delegate, provided for in this act, or shall wilfully and fraudulently make out, sign and issue such certificate of election to any person not entitled thereto, or shall issue such certificate of election to any person at any time in advance of the official count of the votes at such polling place, or shall commit any other wilful or fraudulent act with reference to such certificate, such person shall, upon conviction thereof, be adjudged guilty of a felony under this act.

2—3—28. If any judge of election shall, without urgent necessity, absent himself from the polling place during election, whereby less than a majority of all the judges of such election district shall be present during such hours of election or canvass of ballots; or if at any election any judge of election or clerk shall, knowingly and wilfully, receive any vote, or proceed with the canvass of ballots, or shall consent thereto, unless a majority of the judges of election are present and concur, such judge or such clerk shall be guilty of a misdemeanor under this act.

2—3—29. Any judge of election who shall wilfully exclude any vote duly tendered and unchallenged, knowing that the person offering the same is lawfully entitled to vote at such election, or who shall wilfully

receive a vote from any person who has been duly challenged in relation to his right to vote at such election, without exacting from such person such oath or other proof of qualifications as may be required by law, shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

2—3—30. If any judge of election shall knowingly and wilfully cause or permit any ballot or ballots, or semblance thereof, to be in the ballot box at the opening of the polls and before voting begins, or shall knowingly, wilfully and fraudulently put or permit to be put, any ballot, or other paper having the semblance thereof, into any such box at any such election;

Or if any person, other than a judge of election, shall at any such election wilfully and fraudulently put, or cause to be put, any ballot or ballots, or other paper having the semblance thereof, into any box used at such election for the reception of votes;

Or if any person shall at such election fraudulently change or alter the ballot of any elector or substitute one ballot for another;

Or if any such judge of election or other officer or person shall fraudulently, during the canvass of ballots, in any manner change, substitute or alter any ballot taken from the ballot box then being canvassed, or from any ballot box which has not been canvassed;

Every such judge or person shall, upon conviction thereof, be adjudged guilty of a felony under this act.

2—3—31. If any judge of election, clerk or other officer of election, of whom any duty is required in this act or by the general laws of this State, for the omission of which duty no punishment is provided, shall be guilty of any wilful neglect of such duty, or of any corrupt or fraudulent conduct or practice in the execution of the same, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

2—3—32. Any person, or any member of a board, or any judge of election, clerk or other officer, who is guilty of stealing, wilfully and wrongfully breaking, destroying, mutilating, defacing, falsifying, or unlawfully removing or secreting or detaining the whole or any part of any ballot box or receptacle for ballots, or any record, registry of voters,

or copy thereof, oath, return or statement of votes, certificate, poll list, or of any paper or document provided for in this act;

Or who shall fraudulently make any entry, erasure or alteration therein except as allowed and directed by the provisions of this act, or who permits any other person so to do, shall, upon conviction thereof, be adjudged guilty of a felony under this act.

Every person who advises, procures or abets the commission of any of the acts mentioned in the last preceding two paragraphs shall, upon conviction thereof, be adjudged guilty of a felony under this act.

2—3—33. If any person knowingly or wilfully shall obstruct, hinder or assault, or by bribery, solicitation or otherwise interfere with any judge of election, clerk or challenger, in the performance of any duty required of him, or which he may be by law authorized or permitted to perform;

Or if any person, by any of the means before mentioned or otherwise, unlawfully shall, on the day of election, hinder or prevent any judge of primary election, clerk or challenger in his free attendance and presence at the place of election in the primary election district in and for which he is appointed or designated to serve;

Or in his full and free access and egress to and from any such place of election;

Or, shall molest, interfere with, remove or eject from any such place of election any such judge of election, clerk or challenger, except as otherwise provided in this act, or shall unlawfully threaten, or attempt or offer so to do.

Every such person shall be guilty of a misdemeanor under this act.

2—3—34. If any person shall wilfully disobey any lawful command of any judge of election, given in the execution of his duty as such, at any such primary election, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

2—3—35. If, on any day of primary election, or during the canvass of the votes cast thereat, any person shall cause any breach of the peace, or be guilty of any disorderly violence, or threats of violence, whereby any such election or canvass shall be impeded or hindered or whereby the lawful proceedings of any judge of election, or clerk, or other officer

of such election, or challenger, are interfered with, or causes intoxicating liquors to be brought or sent to the polling place, every such person shall, upon conviction thereof, be guilty of a misdemeanor under this act.

2—3—36. Any person who votes with a certain party at such primary election, when he knows he is not qualified so to vote under the provisions of this act, shall, upon conviction thereof, be deemed guilty of a misdemeanor under this act.

2—3—37. If any person who shall have been convicted of bribery, felony or other infamous crime under the laws of any State, and who has never received a pardon for such offense from the officer or board entitled to grant such pardon, shall thereafter vote, or offer to vote, at any primary election in such city, village or incorporated town, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

2—3—38. If any person, knowing that he is not qualified to vote at such primary election, takes a place in any line of voters waiting to vote at any election, or if any person, after having voted at such election, takes a place in such waiting line, or if any person repeatedly takes a place in such waiting line without voting when the opportunity comes, and who systematically gives up his place in such waiting line, such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

2—3—39. If, at any such election, any person shall falsely personate any elector legally qualified to vote at such primary election, and vote, or attempt or offer to vote, in or upon the name of such elector or other person, living or dead; or shall knowingly, wilfully or fraudulently vote, or attempt or offer to vote more than once, or vote in more than one primary district; or shall by force, threat, menace, intimidation, bribery or reward, or offer or promise thereof, or otherwise unlawfully, either directly or indirectly, influence or attempt to influence any elector in giving his vote;

Or shall unlawfully prevent or hinder, or unlawfully attempt to prevent or hinder, any qualified voter from freely exercising the right of suffrage;

Or shall, by any such unlawful means, compel or induce, or attempt to compel or induce, any judge of election or other officer, to receive the vote of any person not legally qualified or entitled to vote at the said election;

Or by any such means, or other unlawful means, wilfully, knowingly or fraudulently counsel, advise, induce, or attempt to induce, any judge of election or other officer of election, whose duty it is to ascertain, proclaim, announce or declare the result of any such election, to give or make any false certificate, document, report, return or other false evidence in relation thereto, or to refuse to comply with his duty, as specifically provided for in this act, or to refuse to receive the vote of any person entitled to vote therein;

Or shall aid, counsel, advise, procure or assist any legally qualified voter, person or judge of election, or other officer of election, to do any act by law forbidden, or in this act constituted an offense;

Every such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

2—3—40. If any person shall, at any such election, fraudulently furnish any elector with a ballot containing more than the proper number of names;

Or shall intentionally practice any fraud upon any elector to induce him to deposit a ballot as his vote, and to have the same thrown out and not counted, or to have the same counted for a person or candidate other than the person or candidate for whom such elector intended to vote; or otherwise defraud him of his vote; or if any person shall order or cause to be printed a bogus or partly bogus primary ticket, or a primary ticket of delegates or alternates without first having secured the consent of each person named on such ticket to stand as delegate or alternate delegate for a specified convention on that particular ticket of names; or if any person causes to be brought or sent to the vicinity of a polling place such unauthorized tickets in order that they may be distributed;

Every such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

2—3—41. Any person who shall make, seek or obtain for himself or another, a false certificate of election as delegate or alternate delegate to any convention, knowing that he or such person is not entitled thereto, and any person who shall use, or attempt to use, such certificates of election, knowing the same to be false or fraudulent, or to have been issued for another person; and any person who shall fraudulently, knowingly and without right, act as a delegate or alternate delegate to any such convention, shall, upon conviction thereof, be adjudged guilty of a felony under this act.

2—3—42. If any person shall commit any act prohibited herein, or refrain from doing any act or duty required to be done herein, and if any person shall in any manner be guilty of a violation of this act, whether the same is denominated an offense or not, and for which no punishment is herein specifically provided, such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

2—3—43. Any person adjudged guilty of an offense denominated a misdemeanor under this act shall be fined not less than twenty-five dollars (\$25) nor more than one thousand dollars (\$1,000), or shall be imprisoned in the county jail not less than one month nor more than two years, or any such person may be punished by both such fine and imprisonment.

Any person adjudged guilty of an offense denominated a felony in this act shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

2—3—44. The word "householder," as used in this act, shall mean the chief, or head, of a family, who resides with a family as a family and who supports and provides for such family as an independent family.

2—3—45. In all prosecutions and in all contests under this act it shall be the lawful duty of the board of election commissioners or other officers having the custody thereof to produce, open, exhibit and offer in evidence any notice, ballot box, registry book, bundle of ballots, returns, statements or other documents or papers relating to the particular prosecution or contest for the purpose of enabling a full investigation.

2—3—46. Irregularities or defects in the mode of calling, noticing, convincing, holding or conducting any primary election authorized by law shall constitute no defense to a prosecution for a violation of this act. When an offense shall be committed in relation to any primary election an indictment for such offense shall be sufficient, if it allege that such election was authorized by law, without stating the call or notice of election aforesaid, the names of the judges or clerks holding such election, or the names of the persons voted for at such election. Judicial notice shall be taken of this act in any county, city, village or incorporated town to which this act shall apply, and of the holding of any election thereunder on any primary election day.

2—3—47. It shall be the duty of the board of election commissioners to make all necessary rules, instructions and regulations not inconsistent with the provisions of this act, with reference to the conduct of primary elections held in accordance with the provisions contained herein.

ARTICLE III.

THE MAYOR.

3—1. The chief executive officer of the city shall be the mayor, who shall be a citizen of the United States and a qualified elector of the city, who shall have been a resident of the city for at least five years immediately preceding his election, and who shall be elected for a term of four years.

The first election for mayor after this charter shall have taken effect shall take place on the first Tuesday of April in the year 1911. The mayor holding office at the time this charter shall take effect shall continue to hold office until his successor shall be elected and have qualified.

3—2. The mayor shall receive such compensation as the city council may by ordinance direct, but his compensation shall not be changed during his term of office.

3—3. If the mayor, at any time during the term of his office, shall cease to be a resident of the city, his office shall thereby become vacant.

3—4. Whenever a vacancy shall happen in the office of the mayor, in case the unexpired portion of the term shall be one year or more

from the date when the vacancy occurs, it shall be filled at the next election held in and for the entire city.

3—5. If the vacancy is less than one year the city council shall elect one of its number to act as mayor, who shall possess all the rights and powers of the mayor until the next regular election for mayor, and until his successor is elected and has qualified.

3—6. During the temporary absence or disability of the mayor, the presiding officer of the council shall temporarily act as mayor.

The presiding officer of the council shall also temporarily act as mayor in a case of a vacancy in the office of the mayor until such vacancy can be filled as hereinbefore provided.

The person temporarily acting as mayor shall not exercise any power of appointment to or removal from office until the absence or disability of the mayor shall have continued thirty days, or sign, approve or disapprove any ordinance or resolution until the day of the next regular meeting of the council, occurring not earlier than five days after the passage thereof.

3—7. The mayor shall annually and from time to time give the council information relative to the affairs of the city and shall recommend for their consideration such measures as he may deem expedient. He may introduce measures subject to the general rules of procedure of the council and shall have a seat in the council, but no vote.

3—8. He shall perform all such duties as may be prescribed by law or by the city ordinances.

3—9. He shall have the power at all times to examine and inspect the books, records and papers of any agent, employe or officer of the city.

3—10. He shall have power to administer oaths and affirmations upon all lawful occasions.

3—11. The mayor shall have power to remove any officer appointed by him, whenever he shall be of the opinion that the interests of the city demand such removal, but he shall report the reasons for such removal to the council at a meeting to be held not less than five days nor more than ten days after such removal; and if the mayor shall fail or refuse to file with the city clerk a statement of the reasons for such removal, or if the council by a two-thirds vote of all its members author-

ized by law to be elected, by yeas and nays, to be entered upon its record, disapprove of such removal, such officer shall thereupon become restored to the office from which he was so removed; but he shall give new bonds and take a new oath of office. No officer shall be removed a second time for the same offense.

3—12. The mayor shall have the power to release any person imprisoned for violation of any ordinance; he may, if he sees fit, appoint a pardon board of three persons consisting of the superintendent of the house of correction and such inspectors thereof as the mayor may select. In case such board be appointed, all petitions for release from the house of correction shall in the first instance be addressed to the pardon board and shall be by such board forwarded to the mayor with the report of its findings and recommendations.

The mayor shall report any release, with the cause thereof, to the council at its first session thereafter.

3—13. The mayor may exercise, within the city limits, the powers conferred upon sheriffs to suppress disorder and keep the peace. He shall have the power, when he deems it necessary, to call on every male inhabitant of the city over the age of eighteen years to aid in enforcing laws and ordinances, in the same manner as the sheriff may call on the power of the county, and to call out the militia to aid in suppressing riots and other disorderly conduct or carrying into effect any law or ordinance, subject to the authority of the governor as commander-in-chief of the militia.

ARTICLE IV.

THE CITY COUNCIL.

4—1. All aldermen holding office when this act shall take effect shall continue to hold office until the expiration of their respective terms, in accordance with the laws now in force.

Aldermen shall be elected on the first Tuesday of April, 1908, in accordance with the laws now in force, except that they shall be elected for the term of one year only.

From and after the eighth day of April, 1908, the city shall be divided into fifty wards, and one alderman shall be elected from each

ward for a term of four years, the first election of aldermen from such wards to be held on the first Tuesday of April, 1909.

4—2. The fifty wards shall be as follows:

FIRST WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the center line of the mouth of the Chicago River, thence West and South along the center line of said River, to the center line of Twenty-second street, projected, thence east along the center line of Twenty-second street, projected, to the Shore of Lake Michigan, thence North along the Shore of Lake Michigan to the center of the mouth of the Chicago River, shall be denominated and be the First Ward (1) Ward.

SECOND WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the Shore of Lake Michigan and center line of Twenty-second street, projected, thence West along the center line of Twenty-second street to the center line of South Clark street, thence South along the center line of South Clark street to the center line of Twenty-sixth street, thence West along the center line of Twenty-sixth street to the center line of Wentworth avenue, thence South along the center line of Wentworth avenue to the center line of Thirty-second street, thence East along the center line of Thirty-second street to the center line of Calumet avenue, thence South along the center line of Calumet avenue to the center line of Thirty-third street, thence East along the center line of Thirty-third street, projected, to the Shore of Lake Michigan, thence North along the Shore of Lake Michigan to the place of beginning, shall be denominated and be the Second (2) Ward.

THIRD WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the Shore of Lake Michigan and the center line of Thirty-third street, projected, thence West along the center line of Thirty-third street to the center line of Calumet avenue, thence

North along the center line of Calumet avenue to the center line of Thirty-second street, thence West on the center line of Thirty-second street to the center line of Clark street, thence south along the center line of Clark street to the center line of (Thirty-ninth street) the Township line dividing the Township of Hyde Park and Town of South Chicago, thence East along the center line of said Township line to the Shore of Lake Michigan, thence Northerly along the Shore of Lake Michigan to the center line of Thirty-third street, projected, *shall be denominated and be the Third (3) Ward.*

FOURTH WARD.

All that portion of the City of Chicago bounded as follows: Beginning at the intersection of the center line of Twenty-second street, projected, and the center line of South Branch of the Chicago River, thence Southwest along the center line of the South Branch of the Chicago River to the center line of South Halsted street, thence South along the center line of South Halsted street to the center line of Thirty-third street, thence East along the center line of Thirty-third street to the center line of Wentworth avenue, thence North along the center line of Wentworth avenue to the center line of Twenty-sixth street, thence East along the center line of Twenty-sixth street to the center line of Clark street, thence North along the center line of Clark street to the center line of Twenty-second street, thence West along the center line of Twenty-second street to the place of beginning, shall be denominated and be the Fourth (4) Ward.

FIFTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of Halsted street, projected, and the center line of the Chicago River, thence southwesterly along the center line of the said river and the Illinois and Michigan Canal to the center line of Thirty-ninth street, thence East along the center line of Thirty-ninth street to the center line of South Center avenue, projected, thence North along the center line of South Center avenue, projected, to the center line of Thirty-first street, thence East

along the center line of Thirty-first street to the center line of Halsted street, thence North along the center line of Halsted street, projected, to the center line of the Chicago River, *shall be denominated and be the Fifth (5) Ward.*

SIXTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of Halsted street and Thirty-first street, thence West along the center line of Thirty-first street to the center line of South Center avenue, thence South along the center line of South Center avenue to the center line of Thirty-ninth street, thence East along the center line of Thirty-ninth street to the center line of Clark street, thence North along the center line of Clark street to the center line of Thirty-second street, thence West along the center line of Thirty-second street to the center line of Wentworth avenue, thence south along the center line of Wentworth avenue to the center line of Thirty-third street, thence West along the center line of Thirty-third street to the center line of South Halsted street, thence North along the center line of South Halsted street to place of beginning, shall be denominated and be the Sixth (6) Ward.

SEVENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the northeast corner of the Township of Hyde Park, thence West along said township line to the center line of South State street, thence South along said center line of South State street to the center line of Forty-sixth street, thence East along the center line of Forty-sixth street to the center line of Prairie avenue, thence north on the center line of Prairie avenue to the center line of Forty-fourth street, thence east on the center line of Forty-fourth street to the center line of St. Lawrence avenue, thence North along the center line of St. Lawrence avenue to the center line of Forty-third street, thence east on the center line of Forty-third street, projected, to the shore of Lake Michigan, thence Northwesterly along the shore of Lake Michigan to the place of beginning, shall be denominated and be the Seventh (7) Ward.

EIGHTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the Shore line of Lake Michigan and the center line of Forty-third street, projected, thence West along the center line of Forty-third street to the center line of St. Lawrence avenue, thence South along the center line of St. Lawrence avenue to the center line of Forty-fourth street, thence West along the center line of Forty-fourth street to the center line of Prairie avenue, thence South along the center line of Prairie avenue to the center line of Forty-sixth street, thence West along the center line of Forty-sixth street to the center line of South State street, thence south along the center line of South State street to the center line of Fifty-first street, thence East along the center line of Fifty-first street to the center line of Cottage Grove avenue, thence South along the center line of Cottage Grove avenue to the center line of Fifty-second street, thence East along the center line of Fifty-second street, projected, to the shore of Lake Michigan, thence northwesterly along the shore of Lake Michigan to the place of beginning, shall be denominated and be the Eighth (8) Ward.

NINTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the Shore of Lake Michigan and the center line of 52d street, projected, thence West along the center line of 52d street, projected, and the center line of 52d street to the center line of Cottage Grove avenue, thence North along the center line of Cottage Grove avenue to the center line of 51st street, thence West along the center line of 51st street to the center line of South State street, thence south along the center line of South State street to the center line of 60th street, thence East along the center line of 60th street, projected, to the Shore of Lake Michigan, thence Northwesterly along the Shore of Lake Michigan to the place of beginning, shall be denominated and be the Ninth Ward (9) Ward.

TENTH WARD.

All that portion of the City of Chicago bounded as follows: Com-

mencing at the intersection of the Shore of Lake Michigan and the center line of Sixtieth street, projected, thence West along the center line of Sixtieth street, projected, to the center line of Greenwood avenue, thence South along the center line of Greenwood avenue to the center line of Sixty-third street, thence East along the center line of Sixty-third street to the center line of Greenwood avenue, thence South along the center line of Greenwood avenue to the center line of Sixty-fifth street, thence west along the center line of Sixty-fifth street to center line of Greenwood avenue, thence South along the center line of Greenwood avenue, projected, to the center line of Seventy-first street, thence East along the center line of Seventy-first street to the center line of Jackson Park avenue (Stony Island avenue), thence South along the center line of Jackson Park avenue (Stony Island avenue), to the center line of Eighty-ninth street, thence East along the center line of Eighty-ninth street, projected, to the Shore of Lake Michigan, thence Northwesterly along the Shore of Lake Michigan to the place of beginning, *shall be denominated and be the Tenth (10) Ward.*

ELEVENTH WARD.

All that portion of the City of Chicago bounded as follows: Com-
mencing at the intersection of the Shore of Lake Michigan and the center line of Eighty-ninth street, projected, thence West along the center line of Eighty-ninth street, projected, to the center line of Jackson Park avenue (Stony Island avenue), and Jackson Park avenue (Stony Island avenue), projected, through Lake Calumet to the intersection of the East line of sections Twenty-six and Thirty-five, Township Thirty-seven, North Range Fourteen, thence South along said section line to the City Limits, thence East along City Limits to the Indiana State line, thence North along the Indiana State line to the Shore of Lake Michigan, thence Northwesterly along the Shore of Lake Michigan to the place of beginning, *shall be denominated and be the Eleventh (11) Ward.*

TWELFTH WARD.

All that portion of the City of Chicago bounded as follows: Com-

mencing at the intersection of the center lines of Jackson Park avenue, Stony Island avenue and Eighty-seventh street, thence West along the center line of said Eighty-seventh street to the center line of South State street, thence South along the center line of South State street to the center line of West Ninety-ninth street, thence West along the center line of West Ninety-ninth street to the center line of Stewart avenue, thence south along the center line of Stewart avenue to the center line of West One Hundred and Third street, thence West along the center line of West One Hundred and Third street to the center line of South Halsted street, thence South along the center line of South Halsted street to the center line of West One Hundred and Eleventh street, thence West along the center line of West One Hundred and Eleventh street to the center line of South Peoria street, thence South along the center line of South Peoria street to the center line of West One Hundred and Fifteenth street, thence West along the center line of West One Hundred and Fifteenth street to the center line of South Ashland avenue, thence South along the center line of South Ashland avenue to the center line of West One Hundred and Twenty-third street, thence East along the center line of West One Hundred and Twenty-third street to the center line of South Halsted street, thence South along the center line of South Halsted street to the city limits, thence East, South and East along the city limits to the East line of section Thirty-five, and Twenty-six, Township Thirty-seven, N. R., fourteen, thence North along said section line, projected, through Lake Calumet to the center line of Jackson Park avenue, projected, thence North along the center line of Jackson park avenue, projected, to the place of beginning, *shall be denominated and be the Twelfth (12) Ward.*

THIRTEENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of Greenwood avenue and Sixtieth street, thence West along the center line of Sixtieth street to the center line of South State street, thence South along the center line of South State Street to the center line of Eighty-seventh street, thence East along the center line of Eighty-seventh street to the center

line of Jackson Park avenue (Stony Island avenue), thence north along the central line of Jackson Park avenue (Stony Island avenue) to the center line of Seventy-first street, thence west along the center line of Seventy-first street to the center line of Greenwood avenue, projected, thence North on the center line of Greenwood avenue, projected, to the center line of Sixty-fifth street, thence east along the center line of Sixty-fifth street to the center line of Greenwood avenue, thence North on the center line of Greenwood avenue to the center line of Sixty-third street, thence West along the center line of Sixty-third street to the center line of Greenwood avenue, thence North along the center line of Greenwood avenue to the place of beginning, *shall be denominated and be the Thirteenth (13) Ward.*

FOURTEENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of Seventy-first street and South State street, thence West along the center line of Seventy-first street to the center line of South Halsted street, thence North along the center line of South Halsted street to the center line of West Sixty-third street, thence West along the center line of West Sixty-third street to the center line of Loomis street, thence South along the center line of Loomis street to the center line of West Sixty-seventh street, thence West along the center line of Sixty-seventh street to the center line of South Forty-eighth avenue, thence South along the center line of South Forty-eighth avenue to the center line of West Eighty-seventh street, thence East along the center line of West Eighty-seventh street to the center line of South Western avenue, thence south along the center line of South Western avenue to the center line of West One Hundred-seventh street, thence East along the center line of West One-hundred-seventh street to the center line of South Halsted street, thence north along the center line of South Halsted street to the center line of West One-hundred-third street, thence East along the center line of West One-hundred-third street to the center line of Stewart avenue, thence north along the center line of Stewart avenue to the center line

of West Ninety-ninth street, thence East along the center line of West Ninety-ninth street to the center line of South State street, thence north along the center line of South State street to the place of beginning, *shall be denominated and be the Fourteenth (14) Ward.*

FIFTEENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of South State street and Sixty-third street, thence West along the center line of Sixty-third street to the center line of South Halsted street, thence South along the center line of South Halsted street to the center line of Seventy-first street, thence East along the center line of Seventy-first street to the center line of South State street to the place of beginning, shall be denominated and be the Fifteenth (15) Ward.

SIXTEENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of South State street and Fifty-fifth street, thence West along the center line of Fifty-fifth street to center line of South Aberdeen street, thence South along the center line of South Aberdeen street to center line of West Sixty-third street, thence East along the center line of West Sixty-third street to the center line of South State street, thence North along the center line of South State street to place of beginning, shall be denominated and be the Sixteenth (16) Ward.

SEVENTEENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of South Aberdeen street and West Fifty-fifth street, thence West along the center line of West Fifty-fifth street to the center line of South Forty-eighth avenue, thence South along the center line of South Forty-eighth avenue to the center line of West Sixty-seventh street, thence East along the center line of West Sixty-seventh street to the center line of Loomis street, thence

North along the center line of Loomis street to the center line of West Sixty-third street, thence East along the center line of West Sixty-third street to the center line of South Aberdeen street, thence North along the center line of South Aberdeen street to the place of beginning, *shall be denominated and be the Seventeenth (17) Ward.*

EIGHTEENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of South State street and Thirty-ninth street, thence West along the center line of Thirty-ninth street to the center line of South Center avenue, thence South along the center line of South Center avenue to the center line of West Fifty-fifth street, thence East along the center line of West Fifty-fifth street to the center line of South State street, thence north along the center line of South State street to the place of beginning, shall be denominated and be the Eighteenth (18) Ward.

NINETEENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of South Center avenue and West Thirty-ninth street, thence West along the center line of West Thirty-ninth street, projected, to the center line of South Forty-eighth avenue, thence South along the center line of South Forty-eighth avenue to the center line of West Fifty-fifth street, thence East along the center line of West Fifty-fifth street to the center line of South Center avenue, thence North along the center line of South Center avenue to the place of beginning, shall be denominated and be the Nineteenth (19) Ward.

TWENTIETH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the shore line of Lake Michigan and the center line of Chicago avenue, thence west along the center line of Chicago avenue to the center line of the north branch of the Chicago River, thence South and Southeasterly along the center line of the North Branch of the

Chicago River to the center line of the Chicago River, thence East along the center line of the Chicago River to Lake Michigan, thence northerly along the shore of Lake Michigan to the Center line of Chicago avenue, *shall be denominated and be the Twentieth (20) Ward.*

TWENTY-FIRST WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the Shore line of Lake Michigan and the center line of North avenue, thence West along the center line of North avenue to the center line of Sedgwick street, thence South along the center line of Sedgwick street to the center line of Division street, thence West along the center line of Division street to the center line of Sedgwick street, thence South along the center line of Sedgwick street to the center line of Chicago avenue, thence East along the center line of Chicago avenue to the Shore of Lake Michigan, thence Northerly along the Shore of Lake Michigan to the center line of North avenue, shall be denominated and be the Twenty-first (21) Ward.

TWENTY-SECOND WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of North avenue and Sedgwick street, thence West along the center line of North avenue to the center line of the North Branch of the Chicago River, thence South and Southeasterly along the center line of the North Branch of the Chicago River to the center line of Chicago avenue, thence East along the center line of Chicago avenue to the center line of Sedgwick street, thence North along the center line of Sedgwick street to the center line of Division street, thence East along the centre line of Division street to the center line of Sedgwick street, thence North along the center line of Sedgwick street to the place of beginning, shall be denominated and be the Twenty-second (22) Ward.

TWENTY-THIRD WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the Shore of Lake Michigan and Menom-

inee street, projected, thence West along the center line of Menominee street, projected, to the center line of Larrabee street, thence South along the center line of Larrabee street to the center line of Willow street, thence West along the center line of Willow street to the center line of North Halsted street, thence North along the center line of North Halsted street to the center line of Center street, thence West along the center line of Center street to the center line of Racine avenue, thence South along the center line of Racine avenue to the center line of Clybourn Place, thence West along the center line of Clybourn Place to the center line of the North Branch of the Chicago River, thence Southeasterly along the center line of the North Branch of the Chicago River to the center line of North avenue, thence East along the center line of North avenue to the shore of Lake Michigan, thence North along the Shore of Lake Michigan to the place of beginning, *shall be denominated and be the Twenty-third (23) Ward.*

TWENTY-FOURTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the Shore of Lake Michigan and the center line of Fullerton avenue, thence West along the center line of Fullerton avenue to the center line of North Halsted street, thence South along the center line of North Halsted street to the center line of Willow street, thence East along the center line of Willow street to the center line of Larrabee street, thence North along the center line of Larrabee street to the center line of Menominee street, thence East along the center line of Menominee street, projected, to the Shore of Lake Michigan, thence North along the Shore of Lake Michigan to the place of beginning, *shall be denominated and be the Twenty-fourth (24) Ward.*

TWENTY-FIFTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of Racine avenue and Belmont avenue, thence West along the center line of Belmont avenue to the center line of the North Branch of the Chicago River, thence

Southeasterly along the center line of the North Branch of the Chicago River to the center line of Clybourn Place, thence East along the center line of Clybourn Place to the center line of Racine avenue, thence North along the center line of Racine avenue to the center line of Center street, thence East along the center line of Center street to the center line of North Halsted street, thence North along the center line of North Halsted street to the center line of Fullerton avenue, thence West along the center line of Fullerton avenue to the center line of Racine avenue, thence north along the center line of Racine avenue to the place of beginning, *shall be denominated and be the Twenty-fifth (25) Ward.*

TWENTY-SIXTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the shore of Lake Michigan and the center line of Roscoe street, thence West along the center line of Roscoe street to the center line of Racine avenue, thence South along the center line of Racine avenue to the center line of Fullerton avenue, thence East along the center line of Fullerton avenue to the shore of Lake Michigan, thence Northerly along the shore of Lake Michigan to the place of beginning, *shall be denominated and be Twenty-sixth (26) Ward.*

TWENTY-SEVENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the shore of Lake Michigan and the Indiana boundary line, thence Southwesterly along the said Indiana boundary line of the center line of Howard street, projected, thence West along the center line of Howard street, projected, to the center line of Ridge Road, thence South and Southeasterly along the center line of Ridge Road to the center line of Devon avenue, thence East along the center line of Devon avenue to the center line of North Clark street, thence South and Southeasterly along the center line of North Clark street to the center line of Irving Park Boulevard, thence East along the center line of Irving Park Boulevard to the center line of Racine avenue, thence South along the center line of Racine avenue to the

center line of Roscoe street, thence East along the center line of Roscoe street to the shore of Lake Michigan, thence Northerly along the shore of Lake Michigan to the place of beginning, *shall be denominated and be the* Twenty-seventh (27) Ward.

TWENTY-EIGHTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of Ridge Road and Howard street, projected, thence West along the center line of Howard street, projected, to the center line of North Kedzie avenue, projected, thence South along the center line of North Kedzie avenue, projected, to the center line of West Devon avenue, projected, thence East along the center line of West Devon avenue, projected, to the center line of North Western avenue, thence South along the center line of North Western avenue to the center line of Irving Park Boulevard (Graceland avenue), thence East along the center line of Irving Park Boulevard (Graceland avenue) to the center line of North Clark street, thence Northwesterly and Northerly along the center line of North Clark street to the center line of Devon avenue, thence West along the center line of Devon avenue to the center line of Ridge Road, thence Northwesterly and Northerly along the center line of Ridge Road to the place of beginning, *shall be denominated and be the* Twenty-eighth (28) Ward.

TWENTY-NINTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of Racine avenue, projected, and Irving Park Boulevard (Graceland avenue), thence West along the center line of Irving Park Boulevard (Graceland avenue) to the center line of North Western avenue, thence South along the center line of North Western avenue to the center line of Belmont avenue, thence East on the center line of Belmont avenue to the center line of Racine avenue, thence North along the center line of Racine avenue, projected, to the center line of Irving Park Boulevard (Graceland avenue), *shall be denominated and be the* Twenty-ninth (29) Ward.

THIRTIETH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of North Western avenue and West Devon avenue, projected, thence West along the center line of West Devon avenue, projected, to the intersection of the center line of North Sixty-fourth avenue, projected, thence North, Northwest, Northeast, West, North, West, South, West, South, West, Southeast, and South along the city limits to the center of West Bryn Mawr avenue, projected thence East along the center line of West Bryn Mawr avenue, projected, to the center line of North Sixtieth avenue, projected, thence South along the center line of North Sixtieth avenue, projected, to the center line of West Irving Park Boulevard, thence West along the center line of West Irving Park Boulevard to the center line of North Seventy-second avenue, projected, thence South along the center line of North Seventy-second avenue, projected, to the center line of West Belmont avenue, thence East along the center line of Belmont avenue to the center line of North Central Park avenue, thence South along the center line of North Central Park avenue to the center line of Diversey avenue, thence East along the center line of Diversey avenue and Boulevard, projected, to the center line of the North Branch of the Chicago River, thence Northwesterly along the center line of the North Branch of the Chicago River to the center line of Belmont avenue, thence East along the center line of Belmont avenue to the center line of North Western avenue, thence North along the center line of North Western avenue to the place of beginning, *shall be denominated and be the Thirtieth (30) Ward.*

THIRTY-FIRST WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of North Kedzie avenue and the center line of Diversey avenue, thence West along the center line of Diversey avenue to the center line of North Central Park avenue, thence North along the center line of North Central Park avenue to the center line of West Belmont avenue, thence West along the center

line of West Belmont avenue to the center line of North Seventy-second avenue, thence South along the center line of North Seventy-second avenue to the center line of West North avenue, thence East along the center line of West North avenue to the center line of North Kedzie avenue, thence North along the center line of North Kedzie avenue to the center line of Diversey avenue, *shall be denominated and be the Thirty-first (31) Ward.*

THIRTY-SECOND WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of the North Branch of the Chicago River and Diversey Boulevard, thence West along the center line of Diversey Boulevard and avenue, to the center line of North Kedzie avenue, thence South along the center line of North Kedzie avenue to the center line of West North avenue, thence East along the center line of West North avenue to the center line of North Robey street, thence North along the center line of North Robey street to the center line of West Fullerton avenue, thence East along the center line of West Fullerton avenue to the center line of the North Branch of the Chicago River, thence Northwesterly along the center line of the North Branch of the Chicago River to the place of beginning, shall be denominated and be the Thirty-second (32) Ward.

THIRTY-THIRD WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of the North Branch of the Chicago River and Fullerton avenue, thence West along the center line of Fullerton avenue to the center line of North Robey street, thence South along the center line of North Robey street to the center line of West Division street, thence East along the center line of West Division street to the center line of the North Branch of the Chicago River, thence North and Northwesterly along the center line of the North Branch of the Chicago River to the place of beginning, shall be denominated and be the Thirty-third (33) Ward.

THIRTY-FOURTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of the North Branch of the Chicago River and West Division street, thence West along the center line of West Division street to the center line of North Ashland avenue, thence South along the center line of North Ashland avenue to the center line of West Kinzie street, thence East along the center line of West Kinzie street to the center line of the North Branch of the Chicago River, thence Northwesterly along the center line of the North Branch of the Chicago River to the place of beginning, shall be denominated and be the Thirty-fourth (34) Ward.

THIRTY-FIFTH WARD.

All that portion of the City of Chicago bounded as follows: Beginning at the intersection of the center line of North Ashland avenue and West Division street, thence West along the center line of West Division street to the center line of North Robey street, thence South along the center line of North Robey street to the center line of Washington Boulevard, thence East along the center line of Washington Boulevard to the center line of North Ashland avenue, thence North along the center line of North Ashland avenue to the place of beginning, shall be denominated and be the Thirty-fifth (35) Ward.

THIRTY-SIXTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of North Robey street and West Chicago avenue, thence West along the center line of West Chicago avenue to the center line of North Homan avenue, thence South along the center line of North Homan avenue to the center line of West Kinzie street, thence West along the center line of West Kinzie street to the center line of North Central Park avenue, thence South along the center line of North Central Park avenue to the center line of West Lake street, thence East along the center line of West Lake street to the center line of North Homan avenue, thence South along

the center line of North Homan avenue to the center line of Washington Boulevard, thence East along the center line of Washington Boulevard to the center line of North Robey street, thence North along the center line of North Robey street to the place of beginning, *shall be denominated and be the Thirty-sixth (36) Ward.*

THIRTY-SEVENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of North Robey street and West North avenue, thence West along the center line of West North avenue to the center line of North Kedzie avenue, thence South along the center line of North Kedzie avenue to the center line of West Chicago avenue, thence East along the center line of West Chicago avenue to the center line of North Robey street, thence North along the center line of North Robey street to the place of beginning, shall be denominated and be the Thirty-seventh (37) Ward.

THIRTY-EIGHTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of North Kedzie avenue and West North avenue, thence West along the center line of West North Avenue to the center line of Austin avenue, thence South along the center line of Austin avenue to the center line of West Kinzie street, thence East along the center line of West Kinzie street to the center line of North Homan avenue, thence North along the center line of North Homan avenue to the center line of West Chicago avenue, thence East along the center line of West Chicago avenue to the center line of North Kedzie avenue, thence North along the center line of North Kedzie avenue to the place of beginning, shall be denominated and be the Thirty-eighth (38) Ward.

THIRTY-NINTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of North Fortieth avenue

and West Kinzie street, thence West along the center line of West Kinzie street to the center line of Austin avenue, thence South along the center line of Austin avenue to the center line of West Twelfth street, thence East along the center line of West Twelfth street to the center line of South Fortieth avenue. Thence North along the center line of South and North Fortieth avenues to the place of beginning, *shall be denominated and be the* Thirty-ninth (39) Ward.

FORTIETH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of North Central Park avenue and West Kinzie street, thence West along the center line of West Kinzie street to the center line of North Fortieth avenue, thence South along the center line of North and South Fortieth avenue to the center line of West Twelfth street, thence East along the center line of West Twelfth street to the center line of Rockwell street, thence north along the center line of Rockwell street to the center line of Flournoy street, thence West along the center line of Flournoy street to the center line of South California avenue, thence North along the center line of California avenue to the center line of Warren avenue, thence West along the center line of Warren avenue to the center line of South Sacramento avenue, thence North along the center line of South Sacramento avenue to the center line of Washington Boulevard, thence West along the center line of Washington Boulevard to the center line of South Homan avenue, thence North along the center line of South Homan avenue to the center line of West Lake street, thence West along the center line of West Lake street to the center line of North Central Park avenue, thence North along the center line of North Central Park avenue to the place of beginning, *shall be denominated and be the* Fortieth (40) Ward.

FORTY-FIRST WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of South Lincoln street

and Washington Boulevard, thence West along the center line of Washington Boulevard, to the center line of South Sacramento avenue, thence South along the center line of South Sacramento avenue to the center line of Warren avenue, thence East along the center line of West Warren avenue to the center line of California avenue, thence South along the center line of California avenue to the center line of Flournoy street, thence east along the center line of Flournoy street to the center line of Rockwell street, thence South along the center line of Rockwell street to the center line of West Twelfth street, thence East along the center line of Twelfth street and Twelfth Street Boulevard to the center line of Cypress street, thence North along the center line of Cypress street to the center line of West Taylor street, thence East along the center line of West Taylor street to the center line of South Robey street, thence North on the center line of South Robey street to the center line of Van Buren street, thence East along the center line of Van Buren street to the center line or limit of Winchester avenue, thence North along the center line of South Winchester avenue to the center line of West Madison street, thence East along the center line of West Madison street to the center line of South Lincoln street, thence North along the center line of South Lincoln street to the place of beginning, *shall be denominated and be the* Forty-first (41) Ward.

FORTY-SECOND WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of North Sheldon street and West Kinzie street, thence West along the center line of West Kinzie street to the center line of North Ashland avenue, thence South along the center line of North Ashland avenue and Ashland Boulevard to the center line of Washington Boulevard, thence West along the center line of Washington Boulevard to the center line of South Lincoln street, and South along the line of South Lincoln street to the center line of West Madison street, thence West along the center line of West Madison street to the center line of South Winchester avenue, thence South along the center line of South Winchester avenue to the center line of West Van Buren street, thence West on the center line of West Van Buren

street to the center line of South Robey street, thence South along the center line of South Robey street to the center line of West Taylor street, thence East along the center line of West Taylor street to the center line of Loomis street, thence North along the center line of Loomis street to the center line of West Madison street, thence West along the center line of West Madison street to the center line of Sheldon street, thence North along the center line of Sheldon street to the place of beginning, *shall be denominated and be the Forty-second (42) Ward.*

FORTY-THIRD WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the Center line of the North Branch of the Chicago River and West Kinzie street, thence West along the center line of West Kinzie street to the center line of North Sheldon street, thence South along the center line of North Sheldon street to the center line of West Madison street, thence East along the center line of West Madison street to the center line of Loomis street, thence South along the center line of Loomis street to the center line of West Van Buren street, thence East along the center line of West Van Buren street to the center line of the South Branch of the Chicago River, thence North along the center lines of the South Branch and the North Branch of the Chicago River to the place of beginning, *shall be denominated and be the Forty-third (43) Ward.*

FORTY-FOURTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of the South Branch of the Chicago River and West Van Buren street, thence West along the center line of West Van Buren street to the center line of Loomis street, thence South along the center line of Loomis street to the center line of Taylor street, thence West along the center line of Taylor street to the center line of Laflin street, thence South along the center line of Laflin street to the center line of West Twelfth street, thence East along the center line of West Twelfth street to the center line of the South Branch

of the Chicago River, thence North along the center line of the South Branch of the Chicago River to the place of beginning, *shall be denominated and be the* Forty-fourth (44) Ward.

FORTY-FIFTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of the South Branch of the Chicago River and West Twelfth street, thence West along the center line of West Twelfth street to the center line of South Morgan street, thence South along the center line of South Morgan street to the center line of West Eighteenth street, thence West along the center line of West Eighteenth street to the center line of South Morgan street, thence South along the center line of South Morgan street to the center line of the South Branch of the Chicago River, thence North-easterly along the center line of the South Branch of the Chicago River to the place of beginning, *shall be denominated and be the* Forty-fifth (45) Ward.

FORTY-SIXTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of South Morgan street and West Twelfth street, thence West along the center line of West Twelfth (12) street to the center line of Laflin street, thence South along the center line of Laflin street to the center line of the South Branch of the Chicago River, thence Northeasterly along the center line of the South Branch of the Chicago River to the center line of South Morgan street, thence North along the center line of South Morgan street to the center line of West Eighteenth street, thence East along the center line of West Eighteenth street to the center line of South Morgan street, thence along the center line of South Morgan street to the place of beginning, *shall be denominated and be the* Forty-sixth (46) Ward.

FORTY-SEVENTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of Laflin street and West

Taylor street, thence West along the center line of West Taylor street to the center line of Cypress street, thence south along the center line of Cypress street to the center line of West Twelfth street, thence West along the center line of West Twelfth street to the center line of South Hoyne avenue, thence South along the center line of South Hoyne avenue to the center line of the Illinois and Michigan Canal, thence Northeasterly along the center line of the Illinois and Michigan Canal and the South Branch of the Chicago River to the center line of Laflin street, thence North along the center line of Laflin street to the place of beginning, *shall be denominated and be the Forty-seventh (47) Ward.*

FORTY-EIGHTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center lines of South Hoyne avenue and West Twelfth street, thence West along the center line of West Twelfth street to the center line of South Campbell avenue, thence South and Southeasterly along the center line of South Campbell avenue to the center line of the Chicago, Burlington & Quincy railroad right of way, thence Southwesterly along the center line of the Chicago, Burlington & Quincy Railroad right of way to the center line of South California avenue, thence South along the center line of South California avenue, projected, to the center line of the Illinois and Michigan Canal; thence Northeasterly along the center line of the Illinois and Michigan Canal to the center line of South Hoyne avenue, thence North along the center line of South Hoyne avenue to the place of beginning, shall be denominated and be the Forty-eighth (48) Ward.

FORTY-NINTH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of South Campbell avenue and West Twelfth street, thence west along the center line of West Twelfth street to the center line of South Homan avenue; thence south along the center line of South Homan avenue to the center line of West 25th street; thence West along the center line of West 25th street to the

center line of South St. Louis avenue; thence south along the center line of South St. Louis avenue to the center line of West 26th street, thence east along the center line of West 26th street, to the center line of South Homan avenue; thence south along the center line of South Homan avenue, projected, to the center line of the Illinois and Michigan canal; thence Northeasterly along the center line of the Illinois and Michigan canal to the center line of South California avenue, projected; thence north along the center line of South California avenue, projected, to the center line of the Chicago, Burlington & Quincy railroad right-of-way; thence Northeasterly along the center line of the Chicago, Burlington & Quincy railroad right-of-way to the center line of South Campbell avenue; thence North and Northwesterly along the center line of South Campbell avenue to the place of beginning, *shall be denominated and be the Forty-ninth (49) Ward.*

FIFTIETH WARD.

All that portion of the City of Chicago bounded as follows: Commencing at the intersection of the center line of South Homan avenue and West Twelfth street; thence west along the center line of West Twelfth street to the center line of South Forty-sixth avenue; thence south along the center line of South Forty-sixth avenue to the center line of West Thirty-ninth street, projected; thence east along the center line of West Thirty-ninth street projected to the center line of the Illinois and Michigan canal; thence northeasterly along the center line of the Illinois and Michigan canal to the center line of South Homan avenue, projected; thence north along the center line of South Homan avenue projected to the center line of West Twenty-sixth street; thence west along the center line of West Twenty-sixth street to the center line of South St. Louis avenue, thence north along the center line of South St. Louis avenue to the center line of West Twenty-fifth street, thence east along the center line of West Twenty-fifth street to the center line of South Homan avenue, thence north along the center line of South Homan avenue to the place of beginning, shall be denominated and be the Fiftieth ward.

4—3. The city shall thereafter be re-districted by the city council in the year 1902 and every tenth year thereafter. The city council, upon redistricting the city under the authority of this section, may change the number of aldermen and their term of office, and may also alter the territorial basis of representation, provided that all wards shall be of compact and contiguous territory and as nearly as practicable equal to each other in population, and provided that the number of aldermen shall not be increased above fifty nor the term of their office be made longer than four years.

No ordinance altering the number of wards or of aldermen or the term of aldermen shall take effect until sixty days from and after its passage, and if within such sixty days fifteen (15) per cent of the voters of the city voting at the last preceding election for Mayor, petition for the submission of such ordinance to popular vote, not until such ordinance shall have been approved by the voters of the city voting upon such proposition.

4—4. Whenever any city council, having the authority to re-district the city, shall fail to have done so in a valid manner by a day fifty days previous to the day set for the next succeeding council election the board of election commissioners shall re-district the city as the city council might have done before such date, but it shall have no power to change the number of aldermen or the term of office of aldermen.

The council elected by wards as re-districted by the board of election commissioners may adopt the wards so created or may create new wards until a day fifty days previous to the next regular election of aldermen. If it does neither the wards so created shall continue until the next re-districting of the city under the provisions of this charter.

4—5. Any territory annexed to the city shall be made a part of an adjoining ward or wards as the city council may determine.

4—6. If any vacancy shall occur in the office of alderman by death, resignation, removal, or otherwise, such vacancy, if occurring more than six months before the expiration of the term of such alderman, shall be filled by special election.

4—7. No person shall be eligible to the office of alderman unless he shall be a qualified elector, and reside within the ward for which he is

elected; nor shall he be eligible, if he is in arrears in the payment of any tax or other liability due to the city; nor shall he be eligible, if he shall have been convicted of malfeasance, bribery, or other corrupt practices or crimes; nor shall he be eligible to any office, the salary of which is payable out of the city treasury if at the time of his appointment he shall be a member of the city council. No member of the city council shall at the same time hold any other civil office under the federal, State, county, sanitary district or city government except as notary public. Any person who, with his consent, is elected to the city council shall be deemed to have vacated any office he may then be holding under the city government; if he is then holding any other incompatible office and does not resign the same within thirty days from his election, his seat in the council shall be deemed vacant. Any member of the council accepting and entering upon any such other office shall be deemed to have thereby vacated his seat in the council.

4—8. The aldermen elected in the year 1909 and thereafter shall receive compensation for their services at the rate of \$3,500 per annum.

The chairman of the finance committee of the city council shall receive in addition to his salary as alderman such additional sum, not exceeding \$1,500 per annum, as the city council may by ordinance determine for his services as such chairman.

Until changed as herein provided compensation shall be paid to aldermen in accordance with the laws now in force.

4—9. The city council shall be judge of the election and qualification of its own members.

4—10. It shall determine its own rules of proceeding, punish its members for disorderly conduct, and with the concurrence of two-thirds of the aldermen elected, may expel a member, but not a second time for the same offense: Provided, that any alderman who shall have been convicted of the offense of bribery under the laws of the State shall thereby be deemed to have vacated his office.

4—11. A majority of the aldermen elected shall constitute a quorum to do business, but a smaller number may adjourn from time to time, and may compel the attendance of absentees, under such penalties as may be prescribed by ordinance.

4—12. The city council may prescribe, by ordinance, the times and places of the meeting thereof.

4—13. Upon the adoption of this charter, the mayor shall cease to preside over the city council, and the city council shall elect one of its members to act as presiding officer for such term as the council may by resolution or ordinance determine.

4—14. The city council shall sit with open doors.

4—15. It shall keep a journal of its proceedings.

4—16. The yeas and nays shall be taken upon the passage of all ordinances, and on all propositions to create any liability against the city, or for the expenditure or appropriation of its money, and in all other cases at the request of any member, which shall be entered on the journal of its proceedings; and the concurrence of a majority of all the members elected to the city council shall be necessary to the passage of any such ordinance or proposition.

4—17. No vote of the city council shall be reconsidered or rescinded at a special meeting, unless at such special meeting there be present as large a number of aldermen as were present when such vote was taken.

4—18. Any report of a committee of the council shall be deferred, for final action thereon, to the next regular meeting of the same after the report is made, upon the request of any two aldermen present.

4—19. Special meetings of the council may be called by its presiding officer or in such other manner as the council may prescribe.

4—20. Nominations made by the mayor for offices which are subject to confirmation by the city council shall be acted upon by the council at a regular meeting subsequent to the one at which the nomination was submitted.

4—21. No ordinance shall be passed finally on the day it is introduced unless approved by an affirmative vote of two-thirds of all the members of the city council, except in the case provided for in Section 24.

4—22. All ordinances passed by the city council shall, before they take effect, be deposited in the office of the city clerk; and if the mayor approves thereof, he shall sign the same, and such as he shall not

approve he shall return to the council, with his objections thereto, in writing, at the next regular meeting of the council occurring not less than five days after the passage thereof. Such veto may extend to any one or more items or appropriations contained in any ordinance making an appropriation, or to the entire ordinance; and in case the veto only extends to a part of such ordinance, the residue thereof shall take effect and be in force. But in case the mayor shall fail to return any ordinance, with his objections thereto, by the time aforesaid, he shall be deemed to have approved such ordinance, and the same shall take effect accordingly.

4—23. Upon the return of any ordinance by the mayor without his approval, the vote by which the same was passed shall be reconsidered by the council; ~~and~~ if, after such reconsideration, two-thirds of all the members elected ~~the~~ the city council shall agree, by yeas and nays, to pass the same, it shall go into effect, notwithstanding the mayor may refuse to approve thereof. The vote to pass the same over the mayor's veto shall be taken by yeas and nays, and entered on the journal.

4—24. If any ordinance of the city council be returned by the mayor to the council without his approval the mayor may submit with it a message stating his objections thereto and a substitute ordinance and if upon reconsideration of the vote by which the original ordinance was passed, it fails to be adopted, such substitute ordinance may forthwith be considered, unless two members of the council demand a reference of such substitute ordinance to a committee, and if such demand be made such substitute ordinance shall be so referred unless two-thirds of the members of the council vote in favor of immediate consideration thereof, and if such ordinance receives the affirmative vote of the majority of all members of the council present and voting, it shall take effect and be in force in lieu of such vetoed ordinance, upon being deposited in the office of the city clerk and signed by the mayor, subject to the provision of Section 27.

4—25. Upon the veto of any ordinance by the mayor, if two-thirds of all the members elected to the city council fail to pass the same, the veto of the mayor to the contrary notwithstanding, said ordinance shall not again be considered unless or until introduced as an original ordi-

nance at a subsequent meeting; but this section shall not be construed to prevent the introduction and consideration of the substitute ordinance.

4—26. The style of an ordinance shall be "Be it ordained by the city council of the City of Chicago....."

4—27. All ordinances imposing any fine, penalty or imprisonment, and amendments thereto, and all ordinances making any appropriation shall within one month after they are passed, be printed and published in book or pamphlet form and no such ordinance shall take effect until ten days after it is so published. The city shall also publish in book or pamphlet form such ordinances of cities, towns or villages annexed to it at any time prior to or after the adoption of this charter as may remain in force after annexation. Such book or pamphlet shall be received as evidence as in the next section provided. All ordinances thus printed and published shall be kept on file in the office of the city clerk, properly indexed, and copies thereof shall be distributed as the city council may direct. All other ordinances, orders and resolutions shall take effect from and after their approval or passage over the veto of the mayor unless otherwise provided therein.

4—28. All ordinances, and the date of publication thereof, may be proven by the certificate of the clerk, under the seal of the corporation. And when printed in book or pamphlet form, and purporting to be published by authority of the city council, such book or pamphlet shall be received as evidence of the passage and legal publication of such ordinances, as of the dates mentioned in such book or pamphlet, in all courts and places without further proof.

4—29. The city council shall have the power to provide by ordinance for the appointment by the mayor, with the approval of the city council, of a city clerk and to prescribe his term and tenure of office, his compensation and his duties.

The city clerk holding office when this charter takes effect, shall continue to hold office until the expiration of the term for which he has been elected.

4—30. The city clerk shall act as clerk of the city council and as such shall attend all meetings of the city council and keep a full record

of its proceedings in the journal; and copies of all papers duly filed in his office or transcribed from the journals, and other records and files in his office certified by him under the corporate seal, shall be evidence in all courts in like manner as if the originals were produced.

4—31. The clerk shall record, in a book kept for that purpose, all ordinances passed by the city council and shall index the same and at the foot of the record of each ordinance so recorded, shall make a memorandum of the date of the passage and of the publication of such ordinances, which record and memorandum, or certified copy thereof, shall be *prima facie* evidence of the passage and legal publication of such ordinances for all purposes whatsoever.

4—32. The city clerk shall have power to administer oaths and affirmations upon all lawful occasions.

1A

ARTICLE V.

POWERS OF THE COUNCIL IN GENERAL.

5—1. The city council shall be the governing body of the municipality. It shall exercise the corporate powers of the city, and shall be vested with powers of local legislation adequate to a complete system of local municipal government subject to the general laws of the State, as by the next following section provided.

The legislative powers of the city council shall be subject to the provisions of this charter; but the specification of particular powers by this charter shall not be construed as impairing the general grant of powers hereby bestowed except that no taxes shall be levied or imposed by the city council other than as hereinafter provided.

5—2. The legislative power of the city council shall be further subject to all existing laws of the State not rendered inoperative by this charter and to all general laws hereafter enacted by the General Assembly in conformity with and subject to the constitution, but no general statute hereafter enacted relative to the government of the affairs of the cities of the State, or of cities containing a stated number of inhabitants and over, or allowing the formation of new municipal corporations in any part of the State, shall, in the absence of an express declaration of legislative

intent to the contrary, be construed as applying to or operative within the City of Chicago.

5—3. The city council may provide for the carrying into effect of any of its powers by the creation of an appropriate official organization and by the delegation of adequate executive and administrative powers and duties, subject to the provisions of this charter.

5—4. Whenever this charter makes any provisions or regulations with regard to a matter, the regulation of which the legislature has power to delegate to the city council, the city council may adopt an ordinance regulating such matter in whole or in part, and submit to the voters of the city, in the manner provided for the submission of propositions to popular vote, the question whether the provisions of the charter (which shall be designated in the ordinance by title, article, chapter, and section as the case may be) regulating such subject matter shall be discontinued and the ordinance adopted by the city council be substituted in their stead. If the voters of the city shall vote in favor of such discontinuance and substitution, the provisions of the charter so designated shall from thenceforth be inoperative within the city, and the ordinance so adopted shall take effect. No ordinance amending or repealing such ordinance or amending or repealing any ordinance that may subsequently be substituted for it, shall go into effect until such ordinance shall have been approved by a majority of the voters of the city voting upon the question.

This section shall not apply to the provisions on taxation or to the article on public utilities, or to the provisions vesting the control of the school system of the city in a board of education, or to any provisions of this charter expressly prohibiting or restraining the exercise of particular powers by the city or any department or officer thereof.

ARTICLE VI.

OFFICERS.

6—1. In addition to the officers provided for by this charter, or heretofore created by ordinance, the city council may in its discretion from time to time by ordinance passed by a vote of a majority of all the aldermen elected, provide for the election, by the legal voters of the city,

or the appointment by the mayor with the approval of the city council, of all such officers as may, by the council, be deemed necessary or expedient. The city council may by a like vote, by ordinance or resolution to take effect at the end of the then fiscal year, discontinue any office heretofore or hereafter created by ordinance, and devolve the duties thereof on any other city officer; and no officer filling any such office so discontinued shall have any claim against the city on account of his salary after such discontinuance.

Any powers by this charter conferred or duties imposed upon any officers created by ordinance shall, if the office designated by the charter shall be abolished by the city council, be performed by the officer or officers upon whom the powers and duties of the office abolished are devolved.

6—2. The term officer, as used in this charter shall refer to the incumbent of any place or position under the city government held for a fixed term of years. The term employe shall refer to any person holding any position in the classified service of the city. The term municipal officer or employe shall include judges, officers and employes of the municipal court. This rule of construction shall not apply where the context clearly requires a different interpretation.

6—3. All officers of the city, except as expressly otherwise provided, shall be appointed by the mayor (and vacancies in all offices except the offices of the mayor and aldermen and of the judges and other officers of the municipal court shall be filled by like appointment) by and with the advice and consent of the city council.

The city council may by ordinance not inconsistent with the provisions of this act prescribe the duties and define the powers of all such officers, together with the term of any such office and provided that no term of office so prescribed shall exceed four years.

Wherever any office is created to be held for a fixed term, the incumbent of such office shall hold such office until the expiration of his term and until his successor shall be elected or appointed and shall have qualified.

6—4. No person shall be eligible to any office other than that of superintendent of education, who shall not have resided in the city at

least one year preceding his election or appointment, and no person shall be eligible to any office other than an office in the department of Education, who shall not be a qualified elector of the City.

6—5. No officer or employe shall be directly or indirectly interested in any contract, work or business of the city, or the sale of any article, the expense, price or consideration of which is paid from the treasury, or by any assessment levied by any act or ordinance; nor in the purchase of any real estate or other property belonging to the city or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of said city.

6—6. Every person who shall promise, offer or give, or cause, or aid, or abet in causing to be promised, offered or given, or furnish or agree to furnish in whole or in part, to be promised, offered or given to any member of the city council, or any officer or employe of the city, after or before his election or appointment as such officer or employe, any moneys, goods, right in action, or other property or anything of value, or of pecuniary advantage, present or prospective, with intent to influence his vote, opinion, judgment or action on any question, matter, cause or proceeding which may be then pending, or may by law be brought before him in his official capacity, shall upon conviction, be imprisoned in the penitentiary for a term not exceeding two years, or shall be fined not exceeding \$5,000, or both, in the discretion of the court. Every officer or employe who shall accept any such gift or promise, or undertaking to make the same under any agreement or understanding that his vote, opinion, judgment or action shall be influenced thereby, or shall be given in any question, matter, cause or proceeding then pending, or which may by law be brought before him in his official capacity, shall, upon conviction, be disqualified from holding any public office, trust or appointment under the city, and shall forfeit his office, and shall be punished by imprisonment in the penitentiary not exceeding two years, or by a fine not exceeding \$5,000, or both, in the discretion of the court. Every person offending against either of the provisions of this section, shall be a competent witness against any other person offending in the same transaction, and may be compelled to appear and give evidence before any grand jury or in any court in the same manner as other persons; but

the person so testifying shall not be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may give evidence.

6—7. No municipal officer or employe shall directly or indirectly ask for, demand or accept for his own use or for the use of another, any free pass, frank, gratuity, gratuitous service or discrimination from any person or corporation holding or using any franchise, privilege or special license granted by the city, and whose business is confined to the City of Chicago; but this prohibition shall not extend to the furnishing of free transportation to members of the police and fire departments while on duty, or to letter carriers of the government in uniform. Any municipal officer or employe soliciting or accepting any such pass, frank, gratuity, gratuitous service or discrimination, or any person or corporation holding or using such franchise, privilege or license or any officer thereof, granting or offering the same, shall be guilty of a misdemeanor, and shall be punished as provided by law.

6—8. In case the mayor or any other municipal officer or employe shall at any time be guilty of a palpable omission of duty, or shall wilfully and corruptly be guilty of oppression, misconduct or misfeasance in the discharge of the duties of his office, he shall be liable to indictment in any court of competent jurisdiction and, on conviction, shall be fined in a sum not exceeding \$1,000; and the court in which such conviction shall be had shall enter an order removing such officer from office.

6—9. The city council and any committee thereof duly thereunto authorized by the city council shall have the power to investigate any department of the city government, and the official acts and conduct of any officer or employe, and the negotiation, terms and performance of any public contract and for the purpose of ascertaining the facts in connection with such investigation to compel the attendance and testimony of witnesses, and the production of relevant documents and books, in the same manner as such power is given to the civil service commission for the purpose of conducting investigations instituted by it.

6—10. The mayor and the city treasurer shall hold no other office under the city government during their respective terms of office. The

city council may create similar disqualifications with regard to any office established by ordinance.

All officers and employes of the city shall be exempt from jury service.

6—11. All appointive city officers and the city treasurer shall be commissioned by warrant under the corporate seal, signed by the mayor and (except in the case of the city clerk's commission) countersigned by the city clerk. The certificates of election issued to the mayor and the aldermen shall stand in place of their commissions.

Any person ceasing to hold office shall within five days after notification and request deliver to his successor in office all property, books and effects of every description in his possession, belonging to the city or appertaining to his office; and upon his refusal to do so shall be liable for all damages caused thereby and to such penalty as may by ordinance be prescribed.

6—12. All city officers (other than clerical employes), whether elective or appointed, shall before entering upon the duties of their respective offices, take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm, as the case may be) that I will support the constitution of the United States and the constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of.....according to the best of my ability," which oath or affirmation so subscribed shall be filed in the office of the city clerk.

6—13. The city council shall have the power to require bonds of any municipal officer or employe, and fix the amount and penalty thereof; and the security of any bond shall be approved by the city council or by some officer designated by it. A bond so required to be executed shall be filed in the office of the city clerk before the officer shall enter upon the duties of his office, except that the bond of the city clerk shall be filed with the city treasurer. The city council shall also have the power to require the giving of additional bonds and to increase or decrease the amount and penalty of the bond of any officer or employe and to require the giving of a new bond where the security of an original bond has become either insufficient or in any way impaired, upon penalty

of removal from office. The power vested in the city council by this section shall be so administered as to protect the interests of the city from danger of financial loss, and shall never be used as a means of removing any person from the civil service of the city without a hearing before the civil service commission in accordance with law.

In such case the city employee or official whose office is sought to be declared vacant by reason of a failure to give a new, additional or increased bond, shall have the right to have a hearing before the civil service commission upon the question of his removal.

6—14. All officers or employes required to give bonds may offer as surety or sureties on their bonds, a surety company or companies authorized to do business in this State under the laws thereof, to be approved by the comptroller (but in which the comptroller shall not be interested), and the city council may in its discretion provide that the expense of any such bond be met out of the appropriation for the department to which such officer belongs, such expense not to exceed half of one per cent per annum on the amount of such bond.

6—15. An official bond not executed in accordance with legal requirements shall nevertheless be enforceable against the obligor and his surety or sureties; nor shall the execution of a new or additional bond affect the old bond or the liability of the sureties thereon.

6—16. The compensation of all the city officers and employes (other than such as are employed for less than a year) except as in this charter otherwise provided, shall be by salary to be fixed by the city council by the annual appropriation ordinance, and the compensation of no officer or employe (other than as before specified) shall be altered during the same fiscal year. No officer or employe shall be allowed any fees, perquisites, emoluments or any rewards or compensation aside from his salary, but all fees received by him in connection with his official duties shall be paid by him into the city treasury.

6—17. The city council may by ordinance provide in regard to the relation between the officers and employes of the city in respect to each other, the city and the public, and may provide for reasonable fines for the violation of regulations made in that behalf. The city council shall by ordinance make rules and regulations not conflicting with law or with

any general ordinance for the government of every city department, and for regulating the conduct and action of the employes in said department, which may be amended from time to time. The head of each department shall furnish every employe or member of his department with a copy of such rules and regulations.

ARTICLE VII.

CIVIL SERVICE.

7—1. There shall be a civil service commission consisting of three members who shall be appointed by the Mayor by and with the advice and consent of the city council.

The mayor shall appoint a commissioner in place of the commissioner whose term of office would have expired within one year after this charter takes effect, for a term of two years; a commissioner in place of the commissioner whose term of office would have expired within the year next following, for a term of four years; and a commissioner in place of the commissioner whose term of office would have expired within one year thereafter, for a term of six years; and upon the expiration of the term of office of each commissioner so appointed his successor shall be appointed for a term of six years.

Two commissioners shall constitute a quorum. All appointments to said commission shall be so made that not more than two members shall, at the time of appointment, be members of the same political party. Said commissioners shall hold no other lucrative office or employment under the United States, the State of Illinois, or any municipal corporation or political division thereof. Each commissioner, before entering upon the duties of his office, shall take the oath prescribed by the constitution of this State.

7—2. All offices and places of employment heretofore classified shall remain classified, and the commissioners shall classify all other municipal offices and places of employment, created or authorized by the provisions of this act or amendments thereto, with reference to the examinations hereinafter provided for, except those offices and places mentioned in Section 11 of this article. The offices and places so classified by the

commission shall constitute the classified civil service of such city ; and no appointments to any of such offices or places shall be made except under and according to the rules hereinafter mentioned.

7—3. All rules heretofore made by the commission and now in force shall remain in force until repealed or altered, and the commission shall have power to make and alter rules to carry out the purposes of this article, and for examinations, appointments and removals in accordance with its provisions, and the commission may, from time to time, make changes in the original rules.

7—4. All changes in rules shall forthwith be printed for distribution by said commission ; and the commission shall give notice of the place or places where said rules may be obtained by publication in one or more daily newspapers published in the city, and in each such publication shall be specified the date, not less than ten days subsequent to the date of such publication when said rules shall go into operation.

7—5. All applicants for offices or places in said classified service, except those mentioned in section eleven, shall be subjected to examination, which shall be public, competitive and free to all citizens of the United States, with specified limitations as to residence, health, habits and moral character. Such examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they seek to be appointed, and shall include tests of physical qualification and health, and when appropriate, of manual skill. No questions in any examination shall relate to political or religious opinions or affiliations. The commission shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the city, to be examiners, and it shall be the duty of such examiners, and, if in the official service, it shall be a part of their official duty without extra compensation, to conduct such examination as the commission may direct, and to make return or report thereof to said commission, and the commission may at any time substitute any other person, whether or not in such service, in the place of any one so selected ; and the commission may themselves at any time act as such examiners, and without appointing examiners. The ex-

aminers at any examination shall not all be members of the same political party.

7—6. Notice of time and place and general scope of every examination shall be given by the commission by publication two weeks preceding such examination in a daily newspaper of general circulation published in the city, and such notice shall also be posted by said commission in a conspicuous place in their office for two weeks before such examination. Such further notice of examination may be given as the commission shall prescribe.

7—7. From the returns or reports of the examiners, or from the examinations made by the commission, the commission shall prepare a register for each grade or class of positions in the classified service of the city of the persons whose general average standing upon examination for such grade or class is not less than the minimum fixed by the rules of such commission, and who are otherwise eligible; and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without reference to priority of time of examination.

7—8. The commission shall, by its rules, provide for promotions in such classified service, and shall provide that vacancies shall be filled by promotion, in all cases where, in the judgment of the commission, it shall be for the best interests of the service so to fill such vacancy. If, in the judgment of the commission, it is not for the best interests of the service to fill such vacancy by promotion, then such vacancy shall be filled by an original entrance examination; provided, however, that the commission shall in its rules fix upon a credit based upon seniority and ascertained merit in service to be given to all employes in the classified service in line of promotion who submit themselves to such original examination. All promotional examinations shall be limited to such members of the next lower rank or grade as desire to submit themselves to such examination. The method of examination and the rules governing the same and the method of certifying shall be the same as provided for applicants for original appointments.

7—9. The head of the department or office in which a position classified under this act is to be filled shall notify said commission of that

fact, and said commission shall certify to the appointing officer the name and address of the candidate standing highest upon the register for the class or grade to which said position belongs, except that, in cases of laborers where a choice by competition is impracticable, said commission may provide by its rules that the selections shall be made by lot from among those candidates proved fit by examination. In making such certification sex shall be disregarded, except when some statute, the rules of said commission or the appointing power specifies sex. The appointing officer shall notify said commission of each position to be filled separately, and shall fill such place by the appointment of the person certified to him by said commission therefor, which appointment shall be on probation for a period to be fixed by said rules. Said commission may strike off names of candidates from the register after they have remained thereon more than two years. At or before the expiration of the period of probation the head of the department or office in which a candidate is employed may, by and with the consent of said commission, discharge him upon assigning in writing his reason therefor to said commission. If he is not then discharged his appointment shall be deemed complete. To prevent the stoppage of public business, or to meet extraordinary exigencies, the head of any department or office may, with the approval of the commission, make temporary appointments to remain in force not exceeding sixty days, and only until regular appointments under the provisions of this article can be made.

7—10. Persons who were engaged in the military or naval service of the United States during the years 1861, 1862, 1863, 1864, 1865 or 1898, and who were honorably discharged therefrom, shall be preferred for appointment to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such office, and it shall be the duty of the examiner or commissioner certifying the lists of eligibles who have taken the examination provided for in this act, to place the name or names of such persons at the head of the list of eligibles certified for appointment.

7—11. Officers who are elected by the people, or who are elected by the city council, or whose appointment is subject to confirmation by the city council, judges and clerks of election, members of the board of

education, the superintendent, principals and teachers of schools, the superintendent of parks, heads of any principal department of the city, members of the law department other than clerks and stenographers, all secretaries and stenographers actually performing service to the mayor, shall not be included in such classified service.

7—12. No person shall be removed from the classified civil service nor reduced in grade or compensation, except as hereinafter provided.

Whenever it will promote the efficiency of the service, removals from the classified service or reductions in grade or compensation, or both, may be made in any department of such service by the appointing power in the manner following: The person sought to be removed shall be served with a copy of the order of removal and notice of suspension from such service, and also written specifications; and such person shall have not less than three nor more than seven days to answer the same in writing. A copy of the order, specifications and answer, if any, shall be filed with the commission, which shall promptly approve or disapprove of such order. Said commission may in its discretion investigate any removal or reduction, or may appoint some officer or investigating board to conduct such investigation, who shall thereupon investigate any such case which the commission has reason to believe has not been made for the purpose and in the manner herein provided. Such suspensions shall be without pay, provided, however, that said commission in case of disapproval may direct that pay shall be restored.

Reductions in grade or compensation, or both, shall be made in the like manner, as near as may be, but without suspension pending such approval or disapproval. A copy of said papers in each case shall be made a part of the record of the division of the service in which the removal or reduction is made. No removal or reduction shall be effective if disapproved by the commission. All decisions by said commission or of the investigating officers, or board, when approved by said commission, shall be final, and shall be certified to the appointing officer and shall be forthwith enforced by such officer. Nothing in this act shall limit the power of any officer to suspend a subordinate without pay for cause assigned in writing, a copy of which shall be delivered to such subordinate. Such suspension shall be for a reasonable period, not ex-

ceeding thirty days. In the course of any investigation provided for in this section, each member of the commission shall have the power to administer oaths, and said commission shall have the power to secure by its subpoena both the attendance and testimony of witnesses, and the production of books and papers relevant to such investigation.

Nothing in this section shall be construed to require charges or investigations in the case of laborers.

7—13. Immediate notice in writing shall be given by the appointing power, to said commission, of all appointments, permanent or temporary, made in such classified civil service, and all transfers, promotions, resignations, or vacancies from any cause in such service, and of the date thereof; and a record of the same shall be kept by said commission. When any office or place of employment is created or abolished, or the compensation attached thereto altered, the officer or board making such change shall immediately report it in writing to said commission.

7—14. The commission shall investigate the enforcement of this act and of its rules, and the action of the examiners herein provided for, and the conduct and action of the appointees in the classified service in the city, and may inquire as to the nature, tenure and compensation of all offices and places in the public service thereof. In the course of such investigations each commissioner shall have power to administer oaths, and said commission shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers relevant to such investigation.

7—15. Said commission shall, on or before the fifteenth day of January of each year, make to the mayor for transmission to the city council a report showing its own action, the rules in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purpose of this article. The mayor may require a report from said commission at any other time.

7—16. Said commission shall appoint a chief examiner, whose duty it shall be, under the direction of the commission, to superintend any examination held in the city under this article, and who shall perform such other duties as the commission shall prescribe. The chief examiner shall be ex officio secretary of said commission, under the direction of

such commission; he, as such secretary, shall keep the minutes of its proceedings, preserve all reports made to it, keep a record of all examinations held under its direction, and perform such other duties as the commission shall prescribe.

7—17. All officers of the city shall aid said commission in all proper ways in carrying out the provisions of this act, and at any place where examinations are to be held shall allow reasonable use of public buildings for holding such examinations. The mayor of the city shall cause suitable rooms to be provided for said commission at the expense of the city.

7—18. The salary of each of said commissioners shall be fixed by ordinance at not less than three thousand dollars per year; and the salary of the chief examiner shall be fixed by ordinance. Any person not at the time in the official service of the city, serving as a member of the board of examiners or of a trial board, shall receive compensation for every day actually and necessarily spent in the discharge of his duty as an examiner or a member of the trial board, at the rate of five dollars per day, and said commission may also incur expenses not exceeding five thousand dollars per year, for clerk hire, printing, stationery and other incidental matters.

7—19. A sufficient sum of money shall be appropriated each year to carry out the provisions of this article in the city.

7—20. No person or officer shall wilfully or corruptly by himself or in co-operation with one or more other persons, defeat, deceive or obstruct any person in respect to his or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder or aid in so doing, or wilfully or corruptly make any false representation concerning the same, or concerning the person examined, or wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined or to be examined, being appointed, employed or promoted.

7—21. No applicant for examination for any office or place of employment in said classified service shall wilfully or corruptly, by himself or in co-operation with one or more other persons deceive the said

commission with reference to his identity, or wilfully or corruptly make false representations in his application for examination, or commit any fraud for the purpose of improving his prospects or chances in such examination.

7—22. No officer or employe of such city shall solicit, orally or by letter, or receive or pay, or be in any manner concerned in soliciting, receiving or paying, any assessment, subscription or contribution for any party or political purpose whatever.

7—23. No person shall solicit, orally or by letter, or be in any manner concerned in soliciting any assessment, contribution or payment, for any party or any political purpose whatever, from any officer or employe in any department of the city government.

7—24. No person shall in any room or building occupied for the discharge of official duties by any officer or employe solicit, orally or by written communication, delivered therein, or in any other manner, or receive any contribution of money or other thing of value, for any party or political purpose whatever. No officer, agent, clerk or employe under the government of the city, who may have charge or control of any building, office or room, occupied for any purpose of said government, shall permit any person to enter the same for the purpose of therein soliciting or delivering written solicitations for receiving or giving notice of any political assessments.

7—25. No officer or employe in the service of the city shall, directly or indirectly, give or hand over to any officer or employe in said service, or to any senator or representative or alderman, councilman or commissioner, any money or other valuable thing, on account of or to be applied to the promotion of any party or political object whatever.

7—26. No officer or employe of the city shall discharge or degrade or promote, or in any manner change the official rank or compensation of any other officer or employe, or promise or threaten to do so for giving or withholding or neglecting to make any contribution of money or other valuable thing for any party or political purpose, or for refusal or neglect to render any party or political service.

7—27. No applicant for appointment in said classified civil service, either directly or indirectly, shall pay, or promise to pay any money

or other valuable thing to any person whatever for or on account of his appointment, or proposed appointment, and no officer or employe shall pay or promise to pay, either directly or indirectly, any person any money or other valuable thing whatever for or on account of his promotion.

7—28. No applicant for appointment or promotion in said classified civil service shall ask for or receive a recommendation or assistance from any officer or employe in said service, or of any person upon the consideration of any political service to be rendered to or for such person or for the promotion of such person to any office of appointment.

7—29. No person, while holding any office in the government of the city, or in nomination for, or while seeking a nomination for, or appointment to any such office, shall corruptly use or promise to use, either directly or indirectly, any official authority or influence (whether then possessed or merely anticipated) in the way of conferring upon any person, or in order to secure or aid any person in securing any office or public employment, or any nomination, confirmation, promotion or increase of salary upon the consideration or condition that the vote or political influence or action of the last named person or any other shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration.

7—30. No accounting or auditing officer shall allow the claim of any public officer for services of any deputy or other person employed in the public service in violation of the provisions of this article.

7—31. The commission shall certify to the comptroller all appointments to officer and places in the classified civil service, and all vacancies occurring therein, whether by dismissal or resignation or death, and all findings made or approved by the commission under the provision of section twelve of this article, that a person shall be discharged from the classified civil service.

7—32. The comptroller shall not approve the payment of, or be in any manner concerned in paying any salary or wages to any person for services as an officer or employe of the city, unless such person is occupying an office or place of employment according to the provisions of law and is entitled to payment therefor.

7—33. The treasurer shall not pay, or be in any manner concerned in paying any person any salary or wages for services as an officer or employe of the city, unless such person is occupying an office or place of employment according to the provisions of law and is entitled to payment therefor.

7—34. Any person who shall be served with a subpoena to appear and testify or to produce books and papers, issued by the commission or by any commissioner or by any board or person acting under the orders of the commission in the course of an investigation conducted either under the provisions of Section 12 or Section 14 of this article, and who shall refuse or neglect to appear or to testify, or to produce books and papers relevant to said investigation, as commanded in such subpoena, shall be guilty of a misdemeanor, and shall, on conviction, be punished as provided in Section 35 of this article. The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of this State, and shall be paid from the appropriation for the expenses of the commission. Any circuit court of this state, or any judge thereof, either in term or vacation, upon application of any such commission, or officer or board, may in his discretion compel the attendance of witnesses, the production of books and papers, and giving of testimony before the commission, or before such commissioner, investigating board or officer, by attachment for contempt or otherwise in the same manner as the production of evidence may be compelled before said court. Every person who, having taken oath or made affirmation before a commissioner or officer appointed by the commission, authorized to administer oaths, shall swear or affirm wilfully, corruptly and falsely shall be guilty of perjury, and upon conviction shall be punished accordingly.

7—35. Any person who shall wilfully, or through culpable negligence, violate any of the provisions of this article, or any rule promulgated in accordance with the provisions thereof, shall be guilty of a misdemeanor, and shall on conviction thereof, be punished by a fine of not less than fifty dollars and not exceeding one thousand dollars, or by imprisonment in the county jail for a term not exceeding six months, or both such fine and imprisonment in the discretion of the court.

7—36. If any person shall be convicted under the next preceding section, any public office or place of public employment which such person may hold shall, by force of such conviction, be rendered vacant, and such person shall be incapable of holding any office or place of public employment for the period of five years from the date of such conviction.

7—37. Prosecutions for violations of this article may be instituted either by the attorney general, state's attorney for the county in which the offense alleged to have been committed, or by the commission, acting through special counsel. Such suits shall be conducted and controlled by the prosecuting officers who institute them, unless they request the aid of other prosecuting officers.

ARTICLE VIII.

CORPORATE POWERS.

8—1. The City of Chicago by that name shall continue to be a body politic and corporate, may sue and be sued, enter into contracts, and acquire and hold real and personal property for corporate purposes, and dispose thereof when no longer required for corporate purposes.

8—2. The city clerk shall keep the corporate seal to be provided under the direction of the city council, and all papers belonging to the city; and copies of all papers duly filed in his office certified by him under the corporate seal shall be evidence in all courts in like manner as if the originals were produced.

8—3. A suit may be brought by any tax payer in the name and for the benefit of the city against any person or corporation to recover any money or property belonging to the city or for any money which may have been paid, expended or released without authority of law, provided that such tax payer shall file a bond for all costs and be liable for all costs in case judgment should be rendered against the city.

8—4. No person shall be incompetent to act as judge, justice or juror by reason of his being an inhabitant or freeholder in the city in any action or proceeding in which the city may be a party in interest.

8—5. When in any suit the city prays an appeal from the judgment of any court of this State to a higher court it shall not be required to furnish any appeal bond.

8—6. No suit or action at law shall be brought or commenced in any court within this State for damages against the city by any person for an injury to his person unless such suit or action be commenced within one year from the time such injury was received or the cause of action accrued.

8—7. Any person who is about to bring any action or suit at law in any court against the city for damages on account of any personal injury shall, within six months from the date of injury or from the time the cause of action accrued, either himself, or by his agent or attorney, file in the office of the corporation counsel and in the office of the city clerk, a statement in writing signed by such person, his agent or attorney, giving the name of the person to whom such cause of action has accrued, the name and residence of the person injured, the date, and approximately the hour of the accident, the place or location where such accident occurred, the nature of his injury and of his claim, and the name and address of the attending physician if any.

8—8. If the notice provided for by the foregoing section shall not be so filed, then any such suit brought against the city shall be dismissed and the person to whom such cause of action accrued for any personal injury shall be forever barred from further suing.

8—9. The city council may accept any gift, bequest, devise or dedication of property to the city either within or outside of the city limits, the ownership or the proceeds of the sale of which will in its judgment be beneficial to the city, and may assume trusts which a municipality may lawfully perform.

No property given, devised or bequeathed to the city for the use of the public schools or of the public parks or of the public library, the ownership or management of which will entail any expense upon the city, shall be accepted by the city council without the consent of the head of the department out of whose appropriation the cost of maintenance is to be met.

8—10. The city may acquire property inside of the city limits by purchase or condemnation for any municipal purpose.

8—11. The city may acquire by purchase any property outside of

the city limits if in the opinion of the council it is useful, advantageous or desirable for any municipal purpose.

8—12. The city may acquire property outside of the city limits by condemnation, for water works, sewers, and for park and boulevard purposes only.

8—13. The city may exercise the power of condemnation for the purpose of acquiring or extinguishing easements or riparian or other incorporeal rights.

8—14. The power of condemnation shall be exercised in conformity with the laws of the State concerning eminent domain, or in so far as property is condemned in connection with the making of local improvements, in conformity with the act concerning local improvements approved June 14, 1897, and acts amendatory thereof or in addition thereto.

8—15. Upon a judicial sale of property for the non-payment of a tax or special assessment or on execution upon judgment recovered by the city, or upon process issued in any suit to which the city is a party, the city may in default of other bidders bidding an amount sufficient to protect the city's interest, become the purchaser of such property and may by ordinance authorize and make it the duty of any officer to attend such sale and bid thereat in behalf of the city. The city having bought in property sold for non-payment of any special tax or assessment shall pay the amount of the delinquent tax or assessment, with interest thereon, into the fund set apart for such tax or assessment, for the benefit of the holder or holders of any improvement bond or bonds issued on account thereof, when necessary to prevent a default in the payment of such bond or bonds. The failure to bid in behalf of the city at such sale shall not impair the right of the city to enforce all legal remedies for the collection of such special tax or assessment at any subsequent sale for unpaid taxes or assessments. Should the city incur any liability by reason of the ownership or management of the property bid in under the authority of this section, such liability shall be enforceable only out of such property and not out of any other funds or property of the city.

8—16. Any real property held by the city for any purpose whatever, may be sold in pursuance of an ordinance passed by three-fourths of the

members elected to the city council at any regular meeting or at any special meeting called for such purpose when the same, in the opinion of the city council, shall be no longer necessary, appropriate or required for the use of the city, or shall be no longer profitable to the city, or its retention shall be no longer for its best interests; but the city council shall sell no property under the control or management of the department of parks without the written consent of the board of park commissioners, nor any property under the control or management of the department of education without the written consent of the board of education, nor any property under the control or management of the library board without the consent of the library board.

8—17. Such ordinance shall specify the location of such real property and the use thereof, and before any sale shall be made by virtue of any such ordinance such ordinance and proposition to sell shall be published in a daily paper once a week for eight successive weeks. Such notice shall contain an accurate description of such property, the purpose for which it is used, and at what meeting the bids will be considered and opened, and shall invite bids for such property. All such bids shall be opened only at a meeting of the city council and shall be accepted only by a vote of three-fourths of all its members.

8—18. Upon any bid having been accepted and the purchase price duly paid or secured, the mayor and city comptroller shall in the name of the city convey such real estate and transfer the same to such party or parties whose bids have been accepted by proper deed or deeds of conveyance, stating therein the consideration for which the property has been sold.

8—19. The city council may provide by ordinance that all supplies needed for the use of the city shall be furnished by contract let to the lowest responsible bidder.

8—20. Municipal services may be performed and municipal works carried out either through contracts entered into for that purpose or by the city directly by means of its own material and of labor employed by it.

This section shall not apply to works or improvements to be paid for wholly or in part by special taxation or special assessment.

For services performed by it, the city may charge such reasonable fees as may be prescribed by ordinance.

ARTICLE IX.

POLICE POWER.

9—1. The police power of the city shall extend to the prevention of crime, the preservation and promotion of local peace, safety, health, morals, order and comfort, and to the prevention of fraud and extortion within the community, by measures of regulation, licensing, requirement of bonds, examination, inspection, registration, restraint and prohibition, as well as by establishment of municipal services.

The words "regulate" or "control," as hereinafter used, shall include any or all of these methods that may be applicable, appropriate and legitimate.

9—2. The provisions of Cities and Villages Act of 1872, conferring upon cities jurisdiction beyond their territorial limits, shall continue to apply to the City of Chicago. That is to say,

1. The city shall have jurisdiction in and over all places within half a mile beyond its limits for the purpose of enforcing its health and quarantine ordinances and regulations.

2. It shall have jurisdiction within one mile beyond the city limits for the purpose of controlling or prohibiting the erection of cemeteries or of any offensive or unwholesome business or establishment.

3. It shall have jurisdiction within three miles beyond the city limits for the purpose of suppressing houses of ill fame or assignation.

4. It shall have jurisdiction to the extent of three miles beyond the limits of the city and of the territory owned by it, but not to exceed the limits of the State, over all water bordering upon the city.

9—3. The mayor and the policemen of the city shall be conservators of the peace, and all officers created conservators of the peace by this article or authorized by any ordinance, shall have power to arrest or cause to be arrested, with or without process, all persons who shall break the peace, or be found violating any ordinance of the city, or any criminal law of the State, commit for examination and, if necessary, detain such

persons in custody over night or Sunday in the police station or any other safe place, or until they can be brought before the proper magistrate, and shall have and exercise such other powers as conservators of the peace as the city council may prescribe. All warrants for the violation of ordinances, and all criminal warrants to whomsoever directed, may be served and executed within the corporate limits of the city by any policeman of the city; such policemen being hereby clothed with all the statutory powers of constables for such purposes, and with all the powers of constables at common law.

It shall not be lawful for the corporate authorities of the city to employ or permit any person to act as deputy marshal or special constable or special policeman for the purpose of preserving peace, who is not a citizen of the United States and who has not been an actual resident of the City for one whole year before such authorization. Any violation of this provision shall be a misdemeanor and shall be punished by a fine not less than \$100.00 and not more than \$500.00.

9—4. The city council shall have the power to regulate the use of streets and other public places and of all public waters within the limits of the city's jurisdiction, and to regulate and control bridges, wharves, piers and landing places.

9—5. The city council shall have the power to establish fire limits within which wooden buildings may not be erected, replaced or repaired without permission, and to direct that all and any buildings within the fire limits when the same shall have been damaged by fire, decay or otherwise, to the extent of 50 per cent. of the value thereof, shall be torn down or removed, and to prescribe the manner of ascertaining such damage.

9—6. The city council shall have power to maintain a fire department. The fire marshal or fire inspector, if any, shall have the power of compelling the attendance and testimony of witnesses for the purpose of ascertaining the causes and circumstances of fires occurring within the city.

9—7. No ordinance shall be enacted altering the limit of the height of buildings to be erected within the City of Chicago except by a vote of two-thirds of all members of the city council.

9—8. The city council shall have power to require railroad companies owning or operating railroads within the city to adopt all such measures with regard to the location, grade and general condition of their right of way, with regard to railroad crossings and with regard to the operation of trains as are in the judgment of the city council called for in the interest of the safety, comfort and convenience of the public, and for the security and protection of property.

9—9. The regulation by statute of a matter within the police power of the city shall not prevent the city council from prescribing additional regulations not conflicting with the statute, regarding the same subject matter.

9—10. The power of the city council to regulate, control or prohibit the manufacture, selling or giving away of intoxicating liquors and beverages, shall be subject to the provisions of the general laws of the state, except as specially modified by law with reference to the City of Chicago, and further subject to the terms and conditions upon which any district may have been or may hereafter be annexed to the city.

9—11. The city council shall have no power to license gambling houses or houses of ill fame.

9—12. The city council shall have power to regulate, license or prohibit the keeping of dogs and other animals within the city limits.

9—13. The city council shall have power to regulate the business and the charges of hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, wharfingers, ferrymen and all persons and corporations owning or managing public utilities or whose business is carried on under special grants of license or privileges from the city, also to fix the rates of wharfage and dockage, also to regulate the price of bread.

9—14. The city council shall have power to provide for such fines, penalties and forfeitures for the violation of its ordinances, or of the ordinances of any of the city departments made under the authority of this charter, as it may deem proper, provided that no fine or pecuniary penalty shall exceed \$200.00 and no imprisonment shall exceed six months for any one offense.

9—15. The city council shall have power to fix the fees, terms and

manner of issue and revocation of licenses, but no business or occupation license shall be revoked except for cause.

9—16. The city council may without prejudice to the other rights, powers and remedies of the city, provide that where any owner or occupant of property refuses or fails after such reasonable notice in writing as may be prescribed by ordinance to comply with a lawful order made under the authority of any law or ordinance, directing him to remove or abate any nuisance existing in respect of his property, such nuisance may be removed or abated by or under the authority of the city at the expense of such owner or occupant, and the city shall be entitled to collect all reasonable charges incurred by it or under its authority in removing or abating such nuisance by legal proceedings brought against such owner or occupant.

9—17. All fines and forfeitures for the violation of ordinances, when collected, and all moneys collected for licenses or otherwise, shall be paid into the city treasury at such times and in such manner as may be prescribed by ordinance, or by law.

9—18. Wherever a license or permit is required by ordinance for any act, thing or business, the city council may by ordinance provide for the prohibition under penalty and for the summary suppression of such act, thing or business until such license is obtained. Any license fee that has become payable may be collected as a debt.

9—19. The city may maintain an action in the municipal court of the City of Chicago, to restrain by injunction a violation of any of its ordinances enacted for the prevention or abatement of nuisances or for the protection of the public health, notwithstanding such ordinance may provide a penalty for such violation.

9—20. All actions brought to recover any fine, or to enforce any penalty, under any ordinance of the city or of any of its departments, shall be brought in the corporate name of the city as plaintiff; and no prosecution, recovery or acquittal, for the violation of any such ordinance shall constitute a defense to any other prosecution of the same party for any other violation of any such ordinance, although the different causes of action existed at the same time, and, if united, would not have exceeded the jurisdiction of the court or magistrate.

9—21. Any person upon whom any fine or penalty shall be imposed, may, upon the order of the court or magistrate before whom the conviction is had, be committed to the county jail, city prison, workhouse, house of correction, or other place provided by the city for the incarceration of offenders, until such fine, penalty and cost shall be fully paid; Provided, that no such imprisonment shall exceed six months for any one offense. The city council shall have power to provide, by ordinance, that every person so committed shall be required to work for the city, at such labor as his or her strength will permit, within and without such prison, workhouse, house of correction, or other place provided for the incarceration of such offenders, not exceeding ten hours each working day; and for such work the person so employed shall be allowed, exclusive of his or her board, \$2 for each day's work on account of such fine and cost.

ARTICLE X.

POWERS FOR AID, RELIEF AND CORRECTION.

10—1. The city council shall have the power to provide for the care of the indigent of the city, and in times of great public emergency or calamity to extend aid and relief to persons in distress and take such other measures as the situation may call for.

10—2. The city council shall have power in its discretion to indemnify persons whose property has been destroyed by or under the authority of officers of the fire department of the city in order to check the spread of a conflagration, or by or under the authority of the sanitary authorities of the city in order to check the spread of infectious and contagious diseases.

10—3. The city council shall have the power to establish, erect and maintain alms houses, municipal lodging houses and farms for unemployed persons, and free employment bureaus on the premises occupied by any lodging house, and creches for infant children, and to provide for the control and management of the same.

10—4. The city council shall have power to establish and maintain medical dispensaries, and to erect, establish, acquire and maintain hospitals either of general character, or of special character for

particular classes of cases, which hospitals may be free or for pay, or partly free and partly for pay, as the council may determine, and shall have power to provide for the control and management of the same.

10—5. The city council shall have the power to establish and maintain jails, houses of correction, workhouses and workfarms for the confinement and reformation of vagrants, disorderly persons, and persons convicted of violating any city or departmental ordinance or of committing any misdemeanor. Provision shall be made for housing female offenders separately from male offenders, and juvenile offenders separately from adults.

The city council shall have power to provide for the government of such institutions.

The operation of an act to establish workhouses, approved April 25, 1871, shall within or for the City of Chicago be superseded by any regulations made by or under the authority of the city council under the power hereby granted in so far as such regulations may be in conflict with the provisions of this act.

10—6. The city council shall also have power to provide for the care, training and reformation of juvenile delinquents or dependents and to establish institutions for that purpose.

10—7. The municipal authorities shall have power to enter into agreements and arrangements with the authorities of Cook County or other governmental authorities, for mutual cooperation in the prevention, detection, prosecution and punishment of crime, and in the work of reformation, correction, charity, aid or relief, and may make pecuniary grants in such aid of such work.

ARTICLE XI.

FINANCE.

11—1. The city council shall have power to control the city finances, to appropriate money for corporate purposes and to provide for the payment of the expenses and debts of the city.

The term corporate purposes shall be held to include any legitimate

object of municipal interest or activity not contrary to the provisions and limitations of this charter, for which the legislature has power to authorize the expenditure of city funds or the exercise of the power of local taxation. The term municipal purposes, where used in this charter, shall be construed in like manner.

11—2. The fiscal year of this city shall commence upon the first of January of each year, or at such other time as may be fixed by ordinance.

11—3. The city council shall, within the quarter preceding the beginning of each fiscal year, or within the first quarter of such year (which year is herein referred to as the ensuing fiscal year), pass an ordinance to be termed the annual appropriation ordinance, in which it may appropriate such sums of money as it may deem necessary to defray all expenses and liabilities of the city, and in such ordinance shall specify the objects and purposes for which such appropriations are made and the amount appropriated for each object and purpose.

In case the passage of the annual appropriation ordinance shall be delayed until after the beginning of the fiscal year the city council may, during the period from the beginning of the year to the time of the taking effect of such ordinance, upon the recommendation of the finance committee authorize the comptroller to incur the periodical expenditures for current needs of the municipality to the extent that the same had been authorized for the corresponding period of the preceding year and also to incur expenditures for continuation of works that are in process of being carried out and that do not admit of interruption or delay.

11—4. Except as herein otherwise specially provided, the city expenditures in any one year shall not be increased over and above the amount provided for in the annual appropriation ordinance of that year, and no expenditure for any improvement to be paid for out of the general fund of the city shall exceed in any one year the amount provided for such improvement in the annual appropriation ordinance.

11—5. The city council shall have the power at any time to transfer any appropriation for any year which may be found to be in excess of the amount required for the purpose or object thereof, to any other

purposes or objects for which the appropriations are insufficient or such as may require the same.

11—6. Except as next hereinafter provided, all appropriations shall be made for the ensuing fiscal year only, and shall lapse at the end of that year if not then exhausted.

The city council may by ordinance passed by a majority of all its members appropriate and set apart any portion of the revenue of the city as a special fund or funds to be maintained for and devoted to particular purposes. Moneys thus appropriated and set apart shall not lapse into the general fund at the end of the fiscal year as above provided, but the city council may by an ordinance passed by a vote of two thirds of all its members transfer and appropriate the said fund or any part thereof to any other lawful purpose.

11—7. It shall not be lawful for any department or officer of the city to incur or contract any expense unless an appropriation shall have been made concerning such expense.

11—8. All contracts which are not to be satisfied and discharged out of appropriations previously made, or which create contingent liabilities that may accrue at a period later than the current fiscal year, shall be entered into only by or under authority of an ordinance specifically authorizing any such contract and stating its terms, and such ordinance shall be passed only by concurrence of two-thirds of all the members elected to the council.

11—9. The city council, may, upon recommendation of the mayor, by a two-thirds vote of all its members, at any time order any expenditure the necessity of which is caused by an emergency happening after the annual appropriation ordinance has been made.

11—10. No money shall be expended for any celebration, procession, ceremony, reception or entertainment of any kind on any occasion unless by a vote of three-fourths of all the members elected to the city council.

11—11. The city council shall have power to reimburse and indemnify any officer or employe of the city for any expenses or for any liability incurred by him in the performance of his official duty, or while acting in an emergency in the interests of the city and of its inhabitants,

and to provide for defending any suit or criminal prosecution brought against such officer by reason of such alleged liability, but this section shall not be construed as imposing any legal liability upon the city which would not otherwise exist by law.

11—12. The treasurer of the City of Chicago shall be elected by the voters of the city for a term of two years, and during such term shall hold no other office under the city government. No person shall be eligible to the office of city treasurer for two terms in succession.

11—13. All warrants drawn upon the treasurer must be signed by the mayor and countersigned by the comptroller stating the particular fund or appropriation to which the same is chargeable, and no money for the payment of any debt, claim or demand against the city, shall be otherwise paid or transferred than upon such warrants so drawn.

11—14. Warrants payable on demand shall be drawn upon the city treasurer, or against any fund in his hands, only when at the time of the drawing and issuing of such warrants there shall be sufficient money in the appropriate fund in the treasury to pay said warrants.

11—15. All moneys received on any special assessment shall be held by the treasurer as a special fund, to be applied to the payment of the improvement for which the assessment was made, and said money shall be used for no other purpose whatever, unless to reimburse the city for money expended for such improvement.

11—16. Neither the treasurer nor any other officer of the city of Chicago having public funds in his possession or custody shall be entitled to the interest accruing thereon or any part thereof, but such interest shall be paid into the city treasury to be applied according to law.

11—17. It shall be the duty of the comptroller, at least once in each year and not later than the 1st of December of each year to advertise for bids from all regularly established national and state banks doing business in the city for interest upon the money of the city to be deposited in such banks. Such bids shall be reported to the city council for its information and consideration not later than December 15th of each year to the end that any award or awards may be made upon such bids by the city council prior to the end of each fiscal year. Such awards shall be made to the highest and best responsible bidder

or bidders. The city council shall have the power to reject all bids and to designate as many depositaries as it deems necessary for the protection of the city's interests and accept bids accordingly. No bid shall be accepted from any financial institution other than a regularly organized state or national bank and no moneys shall be deposited with any bank or such award be effective until such depositary shall have delivered to the comptroller a bond to the city in such sum and with such sureties as the city council shall approve, conditioned in like manner as other official bonds given by public officials charged with the custody of money. The city council shall have the power to pass all necessary ordinances to carry the foregoing provisions into effect and provide rules applicable thereto. The city treasurer shall be discharged from responsibility for all moneys deposited by him in pursuance to order or ordinance by the city council with any depositaries who may be so named and qualified, and in fixing the amount of the bond of the city treasurer due regard shall be had by the city council to the effect of any such deposits upon the actual amount of money for which the treasurer may from time to time be held responsible. When money is once deposited in such depository or depositories no check or draft shall be drawn against such deposits for the payment of any debt claims or demand against the city, unless accompanied by a warrant attached thereto drawn in accordance with Sections 13 and 14 of this article, a duplicate of such warrant to be retained by the treasurer. Provided, however, that for the purpose of transferring the city's money from one depository to another a check, payable to such depository and signed by the city treasurer and countersigned by the city comptroller, need not be accompanied by such warrant. Such check shall express thereon that it is intended only for the purpose of transferring the city's money from one depository to another.

11—18. The treasurer shall keep all moneys belonging to the city in his hands separate and distinct from his own moneys, and he is hereby expressly prohibited from using, either directly or indirectly, the city money or warrants in his custody and keeping, for his own use and benefit, or that of any other person or persons whomsoever; and any violation of this provision shall subject him to immediate removal

from office by the city council, which is hereby authorized to declare said office vacant; and in which case his successor shall be appointed, who shall hold his office for the remainder of the term unexpired of such officer so removed.

11—19. The treasurer shall report to the city council, as often as it shall require, a full and detailed account of all receipts and disbursements of the city as shown by his books up to the time of such report, and he shall annually, between the first and tenth of January, make out and file with the comptroller a full and detailed account of all such receipts and expenditures and of all his transactions as such treasurer during the preceding fiscal year and shall show in such account the state of the treasury at the close of the fiscal year.

11—20. It shall be the duty of the collector to preserve all warrants which are returned into his hands, and he shall keep such books and his accounts in such manner as the city council may prescribe. Such warrants, books, and all papers pertaining to his office, shall at all times be open to the inspection of and subject to the examination of the mayor, comptroller, any member of the council, or committee thereof. He shall weekly, and oftener if required by the council, pay over to the treasurer all moneys collected by him from any source whatever, taking such treasurer's receipt therefor, which receipt he shall immediately file with the comptroller; but the comptroller shall, at the time, or on demand, give such collector a copy of any such receipt so filed.

11—21. The collector shall make a report in writing to the council or to any officer designated by the council of all moneys collected by him, the account whereon collected, or any other matter in connection with his office, when required by the council, or by any ordinance of the city. He shall also, annually, between the first and the tenth day of January, file with the comptroller, a statement of all the moneys collected by him during the year preceding the particular warrant, special assessment or account on which collected, the balance of moneys uncollected on all warrants in his hands of any person or corporation in his use, the time of the return on all warrants which he shall have returned during the preceding fiscal year, to the city comptroller.

11—22. The collector is hereby expressly prohibited from keeping

the moneys of the city in his hands or in the hands of any person or corporation in his use, beyond the time which may be prescribed for the payment of the same to the treasurer, and any violation of this provision shall subject him to immediate removal from office by the mayor.

11—23. All the city collector's papers, books, warrants and vouchers may be examined at any time by the mayor or comptroller, or any member of the city council; and the collector shall every week, or oftener if the city council so direct, pay over all money collected by him from any person or persons, or associations, to the treasurer, taking his receipt therefor in duplicate, one of which receipts he shall at once file in the office of the comptroller.

11—24. The city council shall prescribe uniform forms of accounts, which are to be observed by all departments of the city which receive or disburse moneys.

ARTICLE XII.

REVENUE.

12—1. The city council of the City of Chicago shall annually, not later than the first quarter of the fiscal year, by ordinance, levy a general tax on all real and personal property not exempt from taxation for corporate purposes, including general city, school, park, and library purposes, not exceeding in the aggregate, exclusive of the amounts levied for the payment of bonded indebtedness and the interest on bonded indebtedness five per centum of the assessed value of the taxable property within said city as assessed and equalized according to law for municipal purposes. The said city council in its annual levy shall specify the respective amounts levied for the payment of bonded indebtedness and interest on bonded indebtedness, the amount levied for general city purposes, the amount levied for educational purposes, the amount levied for school building purposes, the amount levied for park purposes and the amount levied for library purposes. A certified copy of such ordinances shall be filed in the county clerk's office. The county clerk shall extend upon the collector's warrant all of such taxes, subject to the limitation herein contained, in a single column as the City of Chicago

tax. In case the aggregate amount levied, exclusive of the amount levied for the payment of the bonded indebtedness and the interest on bonded indebtedness, shall exceed five per centum of such assessed value such excess shall be disregarded, and the residue only treated as certified for extension. In such case all items in such tax levy except those for the payment of bonded indebtedness and the interest on bonded indebtedness shall be reduced pro rata. The taxes levied shall be collected and enforced in the same manner and by the same officers as state and county taxes, and shall be paid over by the officers collecting the same to the city treasurer. The city treasurer of the City of Chicago shall keep separate funds in conformity to said tax levy, which funds shall be paid out by him, upon order of the proper authority for the purposes only for which the same were levied.

12—2. The board of education, the board of park commissioners and the library board of the City of Chicago shall respectively upon the request of the city council prepare and transmit to it, annually, statements of their receipts and expenditures for the current or preceding fiscal year (as the case may be) stating therein the sources of such receipts and the several objects or purposes of such expenditures. They shall also respectively upon such request prepare and transmit to the city council estimates of their expenditures for the ensuing fiscal year stating therein the several objects and purposes of such expenditures.

12—3. The city council shall have power to impose a license tax upon any trade or business carried on wholly or in part within the city limits.

12—4. The city council shall have power to impose a license tax upon all wheeled vehicles used upon the streets, alleys or public places of the city or any particular class of such vehicles. The net proceeds of any such tax or taxes shall be applied exclusively to the repair and improvement of the streets and alleys of the city.

12—5. Any license tax that has become payable may be collected as a debt. The city council may prescribe penalties for the non-payment of any license tax.

12—6. All corporations, companies and associations not incorporated under the laws of this State, and which are engaged in the City

of Chicago in effecting fire insurance, shall pay to the treasurer of the city, for the maintenance, use and benefit of the fire department thereof, a sum of not exceeding two per cent of the gross receipts received by their agency in the city; fifty per cent of the amount so collected to be set apart and appropriated to the fund for the pensioning of disabled and superannuated members of the fire department, and of the widows and orphans of deceased members of the fire department. The city may prescribe by ordinance the amount of tax ~~or~~ license fee to be fixed, not in excess of the above rate, and at that rate such corporations, companies and associations shall pay upon the amount of all premiums, which during the year ending on every first day of July shall have been received for any insurance effected or agreed to be effected in the city, by or with such corporation, companies or association respectively. Every person who shall act in the city as agent, or otherwise, for or on behalf of any such corporation, company or association, shall, on or before the 15th day of July of each and every year, render to the city comptroller a full, true and just account, verified by his oath, of all the premiums which, during the year ending on every first day of July preceding such report, shall have been received by him, or any other person for him in behalf of any such corporation, company or association, and shall specify in said report the amounts received for fire insurance. Such agent shall also pay to the city treasurer, at the time of rendering the aforesaid report, the amount of rates fixed by the ordinances for which the companies, corporations or associations represented by them are severally chargeable by virtue of this act and the ordinance passed in pursuance hereof. If such account be not rendered on or before the day herein designated for that purpose, or if said rates shall remain unpaid after that day, it shall be unlawful for any corporation, company or association so in default, to transact any business of insurance in the city until the said requisition shall have been fully complied with; but this provision shall not relieve any company, corporation or association from the payment of any risk that may be taken in violation hereof.

12—7. Whenever the city is required to levy a tax for the payment of any particular debt, appropriation or liability of the same, the

tax for such purposes shall be included in the total amount levied by the city council, and certified to the county clerk as aforesaid; but the city council shall determine, in the ordinance making such levy, what proportion of such total amount shall be applicable to the payment of such particular debt, appropriation or liability; and the city treasurer shall set apart such proportion of the tax collected and paid to him for the payment of such particular debt, appropriation or liability, and shall not disburse the same for any other purpose until such debt, appropriation or liability shall have been discharged.

ARTICLE XIII.

INDEBTEDNESS.

13—1. The City of Chicago may become indebted for municipal purposes to an amount (including its existing indebtedness and the indebtedness of the municipal corporations consolidated with the government of the city and whose indebtedness the city has assumed by this charter, and the city's proportionate share of the indebtedness of the County of Cook and of the Sanitary District of Chicago, which share shall be determined as hereinafter provided) in the aggregate not exceeding five per centum of the full value of the taxable property within its limits as ascertained by the last assessment for municipal purposes previous to the incurring of such indebtedness.

13—2. For the purpose of determining such aggregate indebtedness the city's proportionate share in the indebtedness of the County of Cook shall bear the same ratio to the entire existing indebtedness of the County of Cook as the value of the taxable property within the City of Chicago bears to the value of the taxable property in the entire County of Cook, as ascertained by the last assessment for municipal and county purposes, respectively, previous to the incurring of such indebtedness. The amount of the indebtedness of the County of Cook shall upon request of the city comptroller be certified to such comptroller by the county clerk of Cook County under the seal of the board of county commissioners. If the city comptroller questions the correctness of such certificate, the amount of the county's indebtedness may be determined

summarily by the circuit court of Cook County upon proceedings brought by the city against the county for that purpose. The certificate of the county clerk or the judgment of the circuit court, as the case may be, shall be recorded in the office of the recorder of deeds of Cook County and the amount thus recorded shall be conclusive as to the city's proportionate share in the indebtedness of the County of Cook for the purposes herein contemplated.

13—3. For the purpose of determining such aggregate indebtedness, the city's proportionate share in the indebtedness of the Sanitary District of Chicago, shall bear the same ratio to the entire existing indebtedness of the said sanitary district as the value of the taxable property of that portion of the city lying within said sanitary district bears to the value of the whole taxable property in said sanitary district as ascertained by the last assessment for municipal or sanitary district purposes, respectively, previous to the incurring of such indebtedness. The amount of indebtedness of the sanitary district shall, upon request of the city comptroller, be certified to such comptroller by the clerk of the board of trustees of the sanitary district under the seal of such board. If the city comptroller questions the correctness of such certificate the amounts in dispute may be determined summarily by the circuit court of Cook County upon proceedings brought by the City of Chicago against the sanitary district for that purpose. The certificate of the clerk of the sanitary district or judgment of the circuit court, as the case may be, shall be recorded in the office of the recorder of deeds of Cook County and the amount thus recorded shall be conclusive as to the city's proportionate share in the indebtedness of the Sanitary District of Chicago for the purposes herein contemplated.

13—4. For the purpose of raising funds or securing any indebtedness, the city council may issue interest bearing coupon bonds, either registered or payable to bearer, or other evidences of indebtedness or obligations, pledging the faith and credit of the city for their payment. Such issue shall be authorized by ordinance, stating the amount of the issue and the purpose or purposes for which such bonds or obligations are to be issued. Such bonds or obligations shall be issued in such denominations, payable in currency or in gold or silver coin, bearing

such rate of interest, payable quarterly, semi-annually or annually, not exceeding six per cent per annum, and payable at such time or times, not exceeding twenty years from the date of issue, and at such place or places and with such conditions as to optional payment before maturity, as the ordinance authorizing the issue may prescribe. Each such bond or obligation shall bear the signature of the mayor and the city comptroller, and if, according to the provisions of this charter the issue of which the bond forms a part is authorized only with the consent or upon request or application of any particular department of the city, it shall also bear upon its face, or have endorsed upon it, a certificate of such consent, request or application, bearing the signature (which may be engraved or otherwise manifoldeed in facsimile) of the presiding officer of such department, and such certificate shall be conclusive as to the fact of such consent, request or application. Bonds or other obligations shall not be issued at less than par value.

13—5. The city council shall before or at the time of authorizing such bond issue, by ordinance provide for the collection of a direct annual tax sufficient to pay the interest on such bonds as it falls due, and also to pay and discharge the principal thereof at the time such principal shall fall due.

13—6. The city shall have the authority, out of any moneys in any sinking fund that may be provided for the retirement of such bonds or obligations, to purchase in open market any of such bonds or obligations at the fair market value thereof.

13—7. Except as provided in the section next following, no ordinance authorizing the issue of bonds or other obligations shall take effect unless and until the same shall have been submitted to the voters of the city and approved by a majority of such voters voting upon the question in the manner provided for the submission of questions to popular vote.

13—8. Bonds may be issued to refund any existing funded indebtedness without submission to popular vote.

13—9. The failure to comply with any of the requirements herein contained with reference to the form or manner of issuing bonds or other obligations of the city shall not invalidate any such bond or ob-

ligation in the hands of a holder for value if the same constitutes equitably a charge against the city, or if the same would be valid if issued by a private corporation under similar conditions, but upon such failure appropriate proceedings may be brought to restrain the issue of such bonds or to compel compliance with the law.

13—10. The city council may borrow money, upon warrants for municipal purposes; such moneys to be repaid not later than the end of the next fiscal year. Such warrants may bear interest at a rate not exceeding six per centum per annum. No money shall be borrowed on warrants in any one year, unless all moneys borrowed on warrants in any prior year have been fully repaid.

13—11. Whenever there is not sufficient money in the city treasury available to meet and defray the ordinary and necessary expenses of the city, it shall be lawful for the city council to provide a fund to meet said expenses by issuing and disposing of warrants drawn against and in anticipation of any taxes already levied by the city for the payment of the ordinary expenses of the city to the extent of seventy-five per cent of the total amount of any such tax levied. All warrants drawn and issued under the provisions of this section shall show upon their face that they are payable solely from said taxes when collected and not otherwise, and shall be received by the collector of taxes in payment of the taxes against which they are issued, and the taxes against which said warrants are drawn shall be set apart and held for their payment.

13—12. Every warrant issued under the provision of the preceding section shall, unless paid within thirty days after its issuance, bear interest payable only out of the taxes against which it shall be drawn at the rate not exceeding five per cent (as specified in the warrant) per annum from the date of its issuance until paid or until notice shall be given by publication in a newspaper or otherwise that money for its payment is available and that it will be paid on presentation.

13—13. The City of Chicago, by the acceptance of this charter assumes the indebtedness of all local governments hereby consolidated with it, including bonds issued under statutes intended to apply to particular corporate authorities.

ARTICLE XIV.

STREETS AND PUBLIC PLACES.

14—1. The city council shall have power to lay out, establish, open, alter, widen, extend, grade, pave or otherwise improve streets, alleys, avenues, sidewalks and crosswalks, wharfs and other public grounds and places, and regulate the use thereof, and shall provide for lighting and cleaning the same and for keeping them in repair and free from encroachments and obstructions and from offensive matter.

14—2. The city council shall have power to provide for the construction and repair of bridges, viaducts, subways, tunnels, culverts, drains and sewers.

14—3. The city council shall have power, by condemnation or otherwise, to extend any street, alley or highway over, under or across, or to construct any subway or sewer under or through, any railroad track, right of way or land of any railroad company, but where no compensation is made to such railroad company the city shall restore such railroad track, right of way or land to its former state, or in a sufficient manner not to have impaired its usefulness.

14—4. The city council shall have power to permit the use of space more than twelve feet above the level of the surface of streets, alleys or other public places, for private purposes not substantially impairing the full, safe and free public use and enjoyment of such streets, alleys or public places, upon payment of compensation to the city, to be fixed under general ordinance.

No such permit shall be granted for a term longer than ten years, and every such permit shall be subject to earlier revocation by the city council at any time.

This section shall not apply to permits, licenses or grants for public utility purposes.

14—5. Any map, plat or subdivision of land shall be submitted for approval to the city council or to some officer designated by it, in order to secure the conformity of such map, plat or subdivision to the system or plan of streets, alleys and public places established by or under statute or ordinance, or to any other lawful requirement, and upon being

approved, shall be entitled to record in the office of the recorder of Cook County.

14—6. The city shall have power to deepen, widen, dock, cover, wall, alter or change channels of water courses and to acquire, construct and keep in repair or close up canals, slips, public landing places, wharfs, docks and levees, and to collect wharfage and dockage from all boats or other craft landing at or using any public landing place, wharf, dock or levee, also to establish and maintain ferries.

14—7. The city council may provide for the construction and maintenance of outlet sewers, either within or outside of, or partly within and partly outside of the limits of the city, into which sewers of said city may be emptied and through which they may discharge their sewage for proper disposition, and for the construction of reservoirs and the erection of pumping works, and machinery, within or outside the city limits, and for the acquisition by purchase, gift, condemnation or otherwise of all real and personal property, rights of way and easements within or without the city necessary for the construction and maintenance of the outlet sewers and works hereby authorized.

For the purpose of constructing such outlet sewers, rights of way may be condemned across or along public highways, or through the property of municipalities or other public or private corporations or individuals outside of the city limits. Such outlet sewers and the works necessary therefor shall be regarded as local and public improvements of the city, but no property outside of the city limits shall be taxed or assessed therefor.

The city may by contract make arrangements with property owners outside of the city whereby such property owners may be enabled to connect their property with such outlet sewers.

ARTICLE XV.

LOCAL IMPROVEMENTS.

15—1. All general laws of the state relating to the subject of local improvements applicable to the City of Chicago at the time this charter takes effect shall continue in force in said city subject to the provisions of this charter.

Amendments or supplements to such general laws hereafter enacted shall, in the absence of an express declaration of legislative intent to the contrary, be construed as not applying to the City of Chicago, if repugnant to the provisions of this charter or any ordinance passed in pursuance thereof.

15—2. Whenever a street or alley shall have been paved after the passage of this act by the general assembly, and a special assessment or special tax therefor shall have been confirmed, and a special assessment or tax, or if divided into installments, the first installment shall have been certified for collection, not more than fifty (50) per cent of the cost of repaving such street or alley at any future time shall be imposed upon property by special assessment or special taxation.

This provision shall not apply if the repaving is petitioned for by the owners of the greater portion of the frontage abutting upon the street or alley or portion thereof to be repaved, and if such petition contains a consent that more than fifty per cent of the cost of repaving may be imposed upon property by special assessment or special taxation.

15—3. The city council shall have the power by general ordinance passed by a vote of three-fourths of all its members to make provisions regarding the time and manner of notice, regarding the number of installments into which assessments may be divided, regarding the time of payment of assessments and the payment of the interest upon the same, also regarding the form, the terms, and conditions of the payment of, improvement bonds and the provisions of any general local improvement act of the state upon any of these subjects shall be operative in the City of Chicago only in the absence of any different provision upon the same subject made under the power hereby granted.

15—4. If the board of local improvements shall at any time within one week after the opening of the bids submitted for the construction of any local improvement, decide that such bids are too high and that the work can be done by the city itself at a lower price, and shall so report to the city council, the city council may, by ordinance duly passed for that purpose, authorize the board of local improvements to construct said local improvement and to purchase the materials and employ the labor required for such construction and acquire and maintain such plant

as may be advisable, in which case the city shall be deemed and considered as the successful bidder at a price five per cent (5%) below that submitted by that of the lowest responsible bidder.

If the construction of said improvement costs the city more than ninety-five per cent (95%) of such lowest and best bid, such additional cost shall be paid by the city out of its general fund.

If the city shall construct said local improvement at less cost than 95 per cent of said lowest and best bid, as aforesaid, the amount of the saving thus effected shall be credited to the property owners so assessed, and their respective assessments shall be abated accordingly, in accordance with the provisions of Sections 84, 92 and 93 of an act concerning local improvements, approved June 14, 1897.

15—5. Whenever the making of a local improvement requires the exercise of the right of eminent domain and the levying of an assessment for the payment of compensation to the owners of private property to be taken or damaged for said improvement, such assessment may at the discretion of the city council be made payable in one sum or in such annual installments not to exceed twenty, as the said city council may, in the ordinance for the making of such improvement and the levying of such assessment provide; and bonds may be issued to anticipate the collection of such assessment in like manner, as near as may be, as provided by law for the issuance of bonds to anticipate the collection of special assessments levied for the payment of the cost of local improvements which do not involve the exercise of the right of eminent domain. Bonds issued for the purpose of anticipating the collection of an assessment to pay the compensation so awarded to the owner of the property so taken or damaged, may be sold by the city at not less than the par value thereof, and the city may secure the prompt payment at maturity of such bonds and interests as provided in the next section.

15—6. The city council may by ordinance provide for the creation and maintenance of a special fund, to be used for the prevention of default in the payment of any special assessment vouchers and bonds at maturity, and may in the annual appropriation ordinance make an application for such purpose.

15—7. Any article, material or process covered by letters patent granted by the United States Government, may be prescribed in the ordinance for the making of any proposed public improvement, or may be provided for in the specifications for any proposed public improvement where the passage of an ordinance is not required, if prior to the passage of such ordinance or the making of such specifications, the owner or owners of such patent rights shall agree in writing with the city to allow the use of such patent rights, and to sell such article, material or process at a uniform stated price, either to such city or to any contractor to whom such contract may be awarded for the making of such improvement.

Provided, however, That when any ordinance or specifications provide for the use of any such article, material or process, all bids received for the making of such improvement shall be upon the express condition, that the article, material or process specified, can be procured at the price and upon the terms mentioned in the agreement made by the owner or owners of such patent rights, as above provided for.

Provided further, however, That no ordinance shall be passed for a pavement, any part of which is covered by letters patent, where the same or any part thereof is to be paid for by special assessment, unless the owners of a majority of the frontage on any proposed improvement petition in writing for the same.

ARTICLE XVI.

PUBLIC UTILITIES.

16—1. The City of Chicago shall have full power and authority to own, maintain and operate within the limits of the city any public utility works for the use of the city and the property therein and the inhabitants thereof (including street and other intramural railways, subways and tunnels, telephone, telegraph, gas and electric lighting, heating, refrigerating and power plants), and to fix the rates and charges for the services rendered by means of such utilities and for this purpose to acquire by purchase, condemnation, construction or

otherwise whatever property real or personal may be necessary or appropriate, and to lease the same to any person or corporation authorized under the laws of the state to operate the same, for the purpose of operating the same for any period not longer than twenty years, upon such terms and conditions as the city council shall deem for the best interests of the public.

16—2. No person or corporation shall have the right to locate, construct, maintain or operate any public utility (including street and other intramural railway, subways and tunnels, telephone, telegraph, gas and electric lighting, heating, refrigerating and power plants) in, over, under, upon or along the streets, alleys or other public places of the City of Chicago without the consent of the corporate authorities of said city, which consent may be granted for a period not longer than twenty years, upon such terms and conditions as such corporate authorities shall deem for the best interests of the public, provided no such consent shall be granted except on the condition that the person or corporation to which such consent is given will pay all damages to owners of property which they may sustain by reason of the location, construction or operation of the same, and for which they may be entitled to compensation under the constitution and laws of this state; and no such consent (other than a consent to have industrial or commercial establishments connected by side or switch-tracks with railroads for the carrying of freight only) for a longer period than five years shall go into effect until sixty days after the passage of the ordinance therefor by the city council, and if within such sixty days there shall be filed with the city clerk of the said city a petition signed by ten per cent of the registered voters of the city, as shown by the last preceding election for mayor, requesting that the granting of such consent be submitted to popular vote, such consent shall not be effective until the question of granting such consent shall first have been submitted to popular vote at any regular or special election in the city and shall have been approved by a majority of those voting thereon.

16—3. Every such grant shall be subject to the right of the corporate authorities of the city to control the use, improvement and

repair of such streets, alleys and other public places to the same extent as if such grant had not been made, and to make all necessary or appropriate police regulations concerning the erection, construction, maintenance, use and operation of the property or structure thereby permitted, whether such right is reserved in the grant or not, and the right to make such regulations whether reserved or not, shall include the right to make reasonable regulations of the charges to be made in the operation of such public utility. The city shall have no power to grant away or limit the subsequent exercises of this right, except that the question of reasonableness of any such regulation of charges shall always be determined with due regard to the provisions and limitations of the grant under which such public utility is being operated. Any right of regulation shall further include the right to require adequate service to the public and reasonable extensions of such service and of such public utility works. No grant made by the city for any public utility shall be leased, assigned or otherwise aliened without the express consent of the city and no dealings with the lessee or assign on the part of the city, or requiring the performance of any act of payment of any compensation by the lessee or assign shall be deemed to operate as such consent.

Provided, that nothing herein shall be construed to prevent the owners of such grant from including it in a mortgage or trust deed executed for the purpose of obtaining money for corporate purposes.

16—4. The city council shall have power to require the person or corporation owning or operating any public utility within the city to make to the city properly verified reports of the character and amount of business done by such person or corporation, including the amount of receipts from and expenses of conducting said business, may whenever the interests of the city may require it by resolution passed for that purpose authorize the comptroller or a certified public accountant to examine the books of account and records of every person or corporation which relate to the conduct of such business, and verify the same by an examination of the actual condition of its property.

16—5. The charges fixed by the city for the services rendered by it by means of such public utility works by the city shall be high enough to produce a revenue sufficient to bear all cost of maintenance and operation and to meet interest charges on bonds and certificates issued on account thereof, and to permit the accumulation of a surplus or sinking fund that shall be sufficient to meet all such outstanding bonds or certificates at maturity.

16—6. It shall be lawful for the city to incorporate in any public utility grant the reservation of the right on the part of the city to take over all or any part of the property, plan, or equipment used in the operation of such public utility, at or before the expiration of such grant, upon such terms and conditions as may be provided in the grant, and it shall also be lawful to provide in any such grant that in case such reserved right be not exercised by the city and it shall grant the right to another person or corporation to operate such public utility in the streets and parts of streets occupied by its grantee under the former grant, the new grantee shall purchase and take over the property located in such streets and parts of streets upon the terms upon which the city might have taken it over.

16—7. The city council shall have no power to pass any ordinance granting to any person or corporation the right or privilege to lay, upon, under or over the surface of any street, alley or public place, any railroad track, or pipe for the distribution of inflammable gas for fuel or lighting purposes or any wires, on, over or by which electricity for lighting purposes is to be used, conveyed or distributed, except upon petition or with the consent of the owners of the land representing more than one-half of the frontage of such street, alley or public place, or so much thereof as is sought to be used for any of the purposes before mentioned; and when the street, alley or public place or part thereof sought to be used shall be more than one mile in extent, no petition or consent of land owners shall be valid unless the same is signed by the owners of the land representing more than one-half of the frontage of each mile and of the fraction of a mile, if any, in excess of the whole mile, measuring from the initial point named

in such petition, of such street, alley or public place or of the part thereof sought to be used for the purposes above mentioned or either of them.

Before the city shall itself lay or place any track, rail or structure over and upon (but not below the surface of) any street, alley or public place for purposes of transportation or the operation of any tramway, car line or railroad, it shall be required to secure the consent of owners as in this section required, subject to all the conditions and provisions of this section; but in no other case shall the city itself be required to secure such consent for its purposes.

This section shall not apply to any ordinance by which the city council may consent to the use of the streets or alleys of the city by the Sanitary District of Chicago, for the purpose of conveying heat, light or power from any electric power plant owned by such sanitary district.

16—8. The city shall not itself proceed to operate any such public utility for the use or benefit of private consumers or users, for hire or charge for such consumption or use, unless the proposition to operate shall first have been submitted to the electors of the city as a separate proposition and approved by a majority of those voting thereon; but the city may, without such submission and approval, sell electricity for heat, light or power within the limits of the city, generated from any electric lighting plant owned and operated by the city for the city's own use.

16—9. No ordinance authorizing the lease of any public utility for private operation for a longer period than five years, nor any ordinance renewing any lease for a period longer than five years, shall go into effect until the expiration of sixty days from and after its passage, and if within such sixty days there is filed with the city clerk of such city, a petition signed by ten per cent of the voters voting at the last preceding election for mayor in such city asking that such ordinance be submitted to popular vote, then such ordinance shall not go into effect unless the question of the adoption of such ordinance be submitted to the electors of the city and approved by a majority of those voting thereon.

The rental reserved on any such lease shall not be less than a sufficient sum to meet the annual interest and sinking fund charges upon the outstanding bonds and public utility certificates issued by the said city on account of such public utility.

16—10. For the purpose of acquiring any such public utility or the property necessary or appropriate for the operation thereof, either by purchase, condemnation or construction, the city may borrow money and issue negotiable bonds therefor, pledging the faith and credit of the city, but no such bonds shall be issued unless the proposition to issue the same shall first have been submitted to the electors of such city and approved by two-thirds of those voting thereon, nor in an amount in excess of the cost to the city of the property for which said bonds are issued and ten per cent of such cost in addition thereto.

16—11. In valuing any public utility property for the purpose of acquiring the same (except where any street railroad property to be acquired was on the first day of July, 1903, operated under then existing franchises, or where any other public utility to be acquired is, at the time of the taking effect of this charter, operated under then existing franchises) no sum shall be included as the value of any earning power of such property, or of the unexpired portion of any franchise granted by the city. In acquiring public utility property by condemnation, the city shall proceed in the manner provided by law for the taking and condemning of private property for public use.

16—12. In lieu of issuing bonds pledging the faith and credit of the city, as hereinbefore provided, the city may issue and dispose of interest bearing certificates, hereinafter called public utility certificates, which shall, under no circumstances, be or become an obligation or liability of the city or payable out of any general fund thereof, but shall be payable solely out of the revenues or income to be derived from the public utility property for the acquisition of which they were used. Such certificates shall not be issued and secured on any public utility property in an amount in excess of the cost to the city of such property, as hereinbefore provided, and ten (10) per cent of such cost in addition thereto. In order to secure the payment of any

such public utility certificates and the interest thereon, the city may convey, by way of mortgage or deed of trust, any or all of the public utility property acquired, or to be acquired, through the issue thereof; which mortgage, or deed of trust, shall be executed in such manner as may be directed by the city council and acknowledged and recorded in the manner provided by law for the acknowledgement and recording of mortgages of real estate, and may contain such provisions and conditions not in conflict with the provisions of this act as may be deemed necessary to fully secure the payment of the public utility certificates described therein. Any such mortgage or deed of trust may carry the grant of a privilege or right to maintain and operate the public utility property covered thereby, for a period not exceeding twenty (20) years from and after the date such property may come into the possession of any person or corporation as the result of foreclosure proceedings; which privilege or right may fix the rates or charges which the person or corporation securing the same as the result of foreclosure proceedings shall be entitled to charge in the operation of said property for a period not exceeding twenty (20) years. Whenever and as often as default shall be made in the payment of any public utility certificates issued and secured by a mortgage or deed of trust, as aforesaid, or in the payment of the interest thereon when due, and any such default shall have continued for the space of twelve (12) months, after notice thereof has been given to the mayor and comptroller, it shall be lawful for any such mortgagee, or trustees, upon the request of the holder or holders of a majority in amount of the certificates issued and outstanding under such mortgage or deed of trust, to declare the whole of the principal of all such certificates as may be outstanding, to be at once due and payable, and to proceed to foreclose such mortgage or deed of trust in any court of competent jurisdiction. At a foreclosure sale, the mortgagee or the holders of such certificates may become the purchaser or purchasers of the property and the rights and privileges sold, if he or they be the highest bidders. Any public utilities acquired under any such foreclosure shall be subject to regulation

by the corporate authorities of the city to the same extent as if the right to construct, maintain and operate such property had been acquired through a direct grant without the intervention of foreclosure proceedings. Provided, however, that no public utility certificates shall ever be issued by the city under the provisions of this act*unless and until the question of the adoption of the ordinance of the city council authorizing the issue thereof shall first have been submitted to a popular vote and approved by a majority of the qualified voters of the city voting upon such question. The question shall be submitted in such form as the city council may by ordinance designate.

16—13. The city, when owning any such public utility, shall keep the books of account for such public utility distinct from other city accounts and in such manner as to show the true and complete financial results of such city ownership, or ownership and operation, as the case may be. Such accounts shall be so kept as to show the actual cost to such city of the public utility owned; all costs of maintenance, extension and improvement; all operating expenses of every description, in case of such city operation; the amounts set aside for sinking fund purposes; if water or other service shall be furnished for the use of such public utility without charge, the accounts shall show, as nearly as possible, the value of such service, and also the value of such similar service rendered by the public utility to any other city department without charge; such accounts shall also show reasonable allowances for interest, depreciation and insurance, and also estimates of the amount of taxes that would be chargeable against such property if owned by a private corporation. The city council shall cause to be printed annually for public distribution, a report showing the financial results, in form as aforesaid, of such city ownership, or ownership and operation. The accounts of such public utility, kept as aforesaid, shall be examined at least once a year by an expert accountant, who shall report to the city council the results of his examination. Such expert accountant shall be selected in such manner as the city council may direct, and he shall receive for his services such compensation, to be paid

out of the income or revenues from such public utility, as the city council may prescribe.

16—14. The city shall have power to acquire, construct, maintain and operate or lease for operation, wharves, docks and levees, and in connection therewith, elevators, warehouses and vaults, subject to the provisions and limitations (other than those regarding frontage consents) prescribed in this article with regard to public utilities.

16—15. Nothing in this article contained shall be construed to apply to waterworks owned and operated by the City of Chicago.

ARTICLE XVII.

WATER SUPPLY.

17—1. The city shall continue to maintain and operate its water works and shall have power to extend the same, and may for this purpose condemn water works privately owned, and the jurisdiction of the city for the purpose of preventing or punishing any pollution or injury of the sources of its water supply shall extend five miles beyond its corporate limits, or so far as the source of such supply may extend.

17—2. The city council shall have power to make all needful rules and regulations concerning the use of water supplied by the water works of the city, and to do all acts and make such rules and regulations for the construction, completion, management or control of the water works, and for the levying and collecting of any water taxes, rents, rates or assessments, as the said city council may deem necessary and expedient; and such water taxes, rents, rates or assessments may be levied or assessed upon any lot or parcel of ground, having a building or buildings thereon, which shall abut or join any street, avenue or alley in the city through which the distributing pipes of such water works of the city are or may be laid, which can be conveniently supplied with water from said pipes, whether the water shall be used on such lot or parcel of ground or not; and the same,

when so levied or assessed, shall become a continuing lien or charge upon such lot or parcel of ground, building, or buildings, situated thereon, and such lien or charge may be collected or enforced in such manner as the city council may by ordinance prescribe. And the corporate authorities may levy a general tax for the construction and maintenance of such water works, and appropriate money therefor.

17—3. The city council shall have power to prescribe by ordinance the maximum rates and charges for the supply of water which in any portion of the city may be furnished by any private person or corporation for the use of the inhabitants of such portion of the city.

17—4. Whenever there is not sufficient money in the city treasury available to meet and defray the ordinary and necessary expenses of the water department, it shall be lawful for the city comptroller to provide a fund to meet said expenses by issuing and disposing of warrants drawn against and in anticipation of any water taxes already levied by the city for the payment of the ordinary expenses of said water department to the extent of seventy-five per cent of the total amount of the water taxes levied. All warrants drawn and issued under the provisions of this section shall show upon their face that they are payable solely from said water taxes when collected, and not otherwise, and shall be received by the collector of water taxes in payment for the taxes against which they are issued, and the water taxes against which said warrants are drawn shall be set apart and held for their payment.

ARTICLE XVIII.

PARKS.

18—1. The term parks, as used in this act, shall be held to include all lands improved as parks or held or set apart for future improvement as parks or forest preserves, city squares or commons placed under the management of the department of parks, structures placed in or on the boundary lines of the parks or erected for their

protection, such as walls and breakwaters, all waters and beaches placed under the control of the department of parks, all driveways, boulevards and other streets placed under the control of the department of parks, and all other open public places used for purposes of recreation or pleasure of the public, unless established for the use of any other city department and paid for out of the funds appropriated for such department, with all appurtenances belonging to a fully equipped park system. The terms parks, city parks, or parks of the city shall include all such lands whether situated within or outside of the city limits of the City of Chicago.

18—2. The parks of the city shall be under the management and control of a city department of parks, at the head of which there shall be a board of park commissioners of the City of Chicago. The department of parks shall take charge of all parks heretofore managed by park boards or boards of park commissioners.

18—3. The board of park commissioners shall consist of nine members appointed by the mayor, with the consent of two-thirds of all the members of the city council. Three of the members of said board shall be residents of that portion of the city lying north and east of the Chicago River; three members shall be residents of that portion of the city lying south and east of the Chicago River, and the three remaining members shall be residents of that portion of the city lying west of the Chicago River, at the time of their appointment and during their term of office. Of the commissioners first appointed, one of the members from each of said three portions of the city shall be appointed for a term of two years, another for a term of four years, and a third for a term of six years, and upon the expiration of the term of each member, his successor shall be appointed for a term of six years.

18—4. The park commissioners shall serve without compensation.

18—5. The board of park commissioners shall elect a president from their own number, who shall hold office for a term of one year.

The ayes and nays shall be taken and entered on the records of

the proceedings of the board on all questions involving the expenditure of money.

18—6. The board of park commissioners shall annually, or oftener, as required, make a report to the city council of the physical and financial condition of the parks.

18—7. The board of park commissioners shall have the power to appoint or provide for the appointment of all employees that may be necessary for the efficient management of the department and to fix their compensation, subject to the power over appropriations vested in the city council.

18—8. The City of Chicago shall be vested with all powers heretofore granted to any park boards or park commissioners whose authority is abrogated by this charter, and which powers have not heretofore lapsed or expired and are not inconsistent with the provisions of this charter; and all powers now existing with regard to any of said parks to enlarge the same by reclaiming submerged lands under public waters in this state and all powers and rights incidental thereto shall extend to the submerged lands under any and all public waters within the jurisdiction of or bordering upon the City of Chicago, for the benefit of all present and future parks in the city.

All such powers, except as herein otherwise provided, shall be exercised on behalf of the city by the board of park commissioners.

18—9. The city council, upon recommendation of the park commissioners, shall have the power to extend and enlarge the park system of the City of Chicago, both within and outside of the city limits, and the city council, upon such recommendation, shall have the power to acquire for park purposes any lands and other rights in real property in addition to those now held for the use of parks, whether by gift, devise, dedication, purchase or condemnation.

18—10. The city council shall have the power, with the consent of the board of park commissioners, to select and set apart any street or streets of the city or portion thereof, for a boulevard or driveway, to be placed under the management and control of the board of park commissioners, subject to the power of the city coun-

cil to authorize the laying of sewers and water pipes, and shall also have the power, with the consent of said commissioners, to discontinue the use of such streets as boulevards and resume control over them as city streets. No street, or portion thereof, shall be changed into a boulevard, nor shall any boulevard be changed back into a street, without the consent of the owners of the greater portion of the frontage of the lots abutting upon such street or boulevard, or portion of street or boulevard.

The board of park commissioners shall have authority to enter into contracts with owners of property abutting upon any boulevard whereby such owners in consideration of the location or continuance of such boulevard, may bind themselves to make annual contributions toward the maintenance and repair of the same. Such contracts, if so provided therein, shall operate as ~~covenants~~ running with the land, and when recorded in the office of the recorder of deeds of Cook County in accordance with law, the amounts agreed to be paid shall constitute liens upon the property to which such contract relates. Any such lien shall expire six months from the time when it is recorded, unless before that time action is brought to enforce it.

18—11. The city council may, with the consent of two-thirds of all the members of the board of park commissioners, discontinue any parks or any portion thereof, by a vote of three-fourths of its members, and may dispose of the lands and property so discontinued for park purposes in the manner provided by statute for the disposition of other city property which ceases to be used for city purposes. This section shall not apply to the discontinuance of a boulevard, when such boulevard is reconverted into a street.

Personal property, other than chattels real, belonging to the department and no longer needed for its purposes, may be sold under its direction.

18—12. The city council may, upon the recommendation of the board of park commissioners, establish by ordinance all needful rules and regulations for the government and protection of the public

parks. Such ordinances may provide for excluding from such park all funeral processions, hearses, traffic teams, teaming and all objectionable travel and traffic, and may regulate the speed of vehicles in the parks.

General city ordinances now in force, or hereafter enacted, shall be presumed not to apply to the parks if contrary to any regulation made under the authority of this section.

18—13. All ordinances, for the violation of which fines are imposed, shall be published in such manner as the board of park commissioners shall direct, and rules framed in conformity with them shall be brought to the notice of the public by being posted in conspicuous places in the parks. When such ordinances are printed in book or pamphlet form, purporting to be published by authority of the board of park commissioners, such book or pamphlet shall be received as evidence of the passage and publication of such ordinances as of the dates therein mentioned in all courts without further proof.

18—14. The mayor and chief of police, upon the requisition of the board of park commissioners, shall, from time to time, detail to the service of the department of parks, for the enforcement of the park ordinances, and for the maintenance of good order in the parks, so many suitable officers and men as are necessary. Such officers and men shall continue to be in all respects an integral part of the police force of the city, and shall be paid out of the funds appropriated for the support of the police department. These officers and men shall constitute the park police so long as their detail lasts, and shall report to the board of park commissioners. The said park commissioners may report back to the police department for punishment any member of said park police force guilty of any breach of orders or discipline or of neglecting his duty, and thereupon the chief of police may detail another officer or man in his place, and the discipline of said members of the park police shall be in the jurisdiction of the police department, but at any time the park commissioners may object to the inefficiency of any member of said park

police serving in any park, and thereupon another officer or man may be detailed in his place. The officers and men now members of the park police of the several parks hereby consolidated, shall have credit, under the pension laws for the time theretofore served, subject to such payment as the pension commissioners shall deem just.

18—15. The board of park commissioners shall have full power to manage and control, improve, maintain and beautify the parks of the city.

18—16. The cost of the first establishment of any park may be met by general taxation, or by special taxation, or by special assessment, or by a combination of special with general taxation, or of special assessment with general taxation, or otherwise, as the city council, upon recommendation of the board of park commissioners shall by ordinance determine. The provision of the ¹⁹¹⁰ statutes governing the making of local improvements in the city shall be as nearly as possible applied to the proceedings for the taking of lands and the meeting of the expenses in connection with such improvements, except that the board of park commissioners shall act in place of the board of local improvements.

The cost of maintenance and repair shall not be met by special taxation or special assessment.

18—17. Any work to be done by or under the direction of the department of parks, the cost of which is not met in whole or in part by special assessment or special taxation, may be done at the option of the board of park commissioners, either directly through the employes of the department and other laborers hired for the purpose, or by contract entered into for that purpose, subject to the rules established by general city ordinance governing the giving out of contracts for work to be done for the city or any of its departments, or partly by the one method and partly by the other.

18—18. The board of park commissioners may, with the consent of the city council, purchase, erect and maintain within any public park, any museum, art institute or library, or permit any museum, art institute or library established for public use by private endowment to be erected and maintained within any public park.

An admission fee, not to exceed twenty-five cents for each visitor over ten years of age, may be charged or be permitted to be charged for visiting any such museum or art institute, provided that all such museums and institutes shall be open to the public without charge for three days each week, and to the children in actual attendance upon any of the schools in this city on every day.

Any arrangement or agreements existing at the time this charter shall take effect with any museum, art institute or library, that shall be now located or authorized to be located in any park, shall not be impaired or affected by the provisions of this charter.

Where any power has heretofore been granted by statute to any board of park commissioners to levy taxes for the support of any museum or museums of art, sciences or natural history, located and maintained or authorized to be located and maintained in any public park, the city council may, on request of the board of park commissioners, appropriate and include in the levy of taxes for park purposes, a tax on each dollar of taxable property, not to exceed that named in the statute conferring such power upon said board of park commissioners, for the same purpose or purposes, subject to the provisions of this charter upon the subject of taxation and revenue.

If any owner of land abutting upon any park, or adjacent thereto, have any easement or property right in such part appurtenant to his land which would be interfered with by placing any museum, art institute or library within the park, or any right to have such park remain open and free from buildings, such easement or right may be condemned in accordance with the provisions of the statutes regulating the exercise of the power of eminent domain.

18—19. All appropriations, tax levies or bond issues for the use of parks shall be made by the city council in accordance with the general provisions of this charter, except that no such appropriation, tax levy, or bond issue shall be made otherwise than upon request or application of the board of park commissioners. The proceeds of any tax levied or bonds issued for the use of parks shall be kept as a separate fund by the city treasurer and shall be paid out only under the direction

or upon orders of the board of park commissioners. All warrants upon which funds are to be paid out shall bear the signature of the president of the board of park commissioners in addition to the signature of the mayor and city comptroller.

18—20. The board of park commissioners shall have charge and control of all public monuments within the city and shall have power to make regulations tending to their preservation and to prevent their defacement, in the same manner and with the same effect as it may make ordinances for the protection of the public parks.

18—21. The board of park commissioners with the consent of the city council shall have power by agreement with private owners to undertake the preservation and the care in the whole or in part of places in private ownership, the use of which is thrown open to the public, or of places of historic interest, and to mark the same by appropriate memorial tablets and inscriptions, which shall be regarded as public monuments.

18—22. The art commission, so long as the same shall be maintained by the city council, shall consist of the mayor, the chief officer of the principal art institute of the city, the president of the board of park commissioners, and three other members, residents of the city, to be appointed by the mayor. One of the said three members shall be a painter, one a sculptor and one an architect.

18—23. Upon the expiration of the term of office of each of the present members appointed by the mayor, his successor shall be appointed for a term of three years. All appointments to fill vacancies shall be for the unexpired term.

18—24. The commission shall serve without compensation as such, and shall elect a president and secretary from its own members, whose term of office shall be one year, and until their successors are elected and qualified.

The commission shall have power to adopt its own rules of procedure. Five commissioners shall constitute a quorum.

18—25. Suitable offices shall be provided for the commission by the city council of the city, and the expenses of the commission shall be paid by appropriation made therefor by said city council annually.

18—26. Hereafter no work of art shall become the property of such city by purchase, gift or otherwise, unless such work of art, or a design of the same, together with a statement of the proposed location of such work of art, shall first have been submitted to and approved by the commission; nor shall such work of art until so approved be erected or placed in or upon, or allowed to extend over or upon any street, avenue, square, common, municipal building, or other place belonging to such city, or any park, boulevard, or public ground situated within the limits of such city. The commission may, when they deem proper, also require a complete model of the proposed work of art to be submitted. The term "work of art," as used in this connection, shall apply to and include all paintings, mural decorations, stained glass, statues, bas reliefs, or other sculptures, ornaments, fountains, images or other structures of a permanent character intended for ornament or commemoration. The term municipal building, as used in this connection, shall include all public schools and all buildings or portions thereof, and all grounds used for school purposes in such city. No existing work of art in the possession of the city, or in any parks, boulevards, public grounds, school buildings, or school grounds aforesaid, shall be removed, re-located, or altered in any way without the similar approval of the commission, except as provided in section 28 of this article. When so requested by the mayor or the city council the commission shall act in a similar capacity with similar powers in respect of designs of buildings, bridges, approaches, gates, fences, lamps, or other structures erected or to be erected upon land belonging to the city or a part of any of the parks, public grounds or boulevards within the limits of such city, and in respect of the lines, grades and platting of the public ways and grounds, and in respect of the arches, bridges, structures and approaches which are the property of any corporation or private individual, and which shall extend over or upon any street, avenue, highway, boulevard, park or other public places belonging to or within the limits of the city.

But this section shall not be construed as impairing the power of any park board to refuse its consent to the erection or acceptance of public monuments or memorials or other works of art or structures

of any sort within any park, boulevard or other public ground under their control in such city.

18—27. If the commission shall fail to decide upon any matter submitted to it within sixty days after such submission, its decision shall be deemed unnecessary.

18—28. In case the removal or re-location of any existing work of art, or other matter, which would, under the provisions of Section 26 of this article be within the control of the art commission, shall be deemed necessary by those empowered to cause such removal or re-location, the commission shall, within forty-eight hours, after notice, approve or disapprove of such removal or re-location, and in case of their failure so to act within forty-eight hours after the receipt of such notice, they shall be deemed to have approved of such removal or re-location.

ARTICLE XIX.

DEPARTMENT OF EDUCATION.

19—1. The City of Chicago shall constitute one school district, and shall maintain a thorough and efficient system of free schools whereby the children of the city may receive a good common school education. The public school system shall be a department of the city government, to be known as the department of education, at the head of which there shall be a board of education, and no power by this charter vested in the board of education or in any officer of the department shall be exercised by the city council except as by this charter provided.

19—2. From and after the taking effect of this act, the board of education shall consist of fifteen members, to be appointed by the mayor with the approval of the city council, five of whom shall be appointed for the term of one year, five for the term of two years and five for the term of three years. At the expiration of the term of any member of said board of education, his successor shall be appointed in like manner and all members thus appointed and their successors shall hold their office for the term of three years from the first day of May of the year in which they are appointed. Any vacancy which may occur in the membership of said board of education shall be filled through appointment by the

mayor with the approval of the city council for the unexpired term. If any person so appointed shall fail to qualify within thirty days after his appointment, the office shall be filled by a new appointment for the unexpired term. Members of the board of education shall serve without compensation.

Any member of the board of education may be removed by the mayor upon proof either of official misconduct in office or of neglect of official duty, or of misconduct in any way connected with his official duties, or otherwise, which tends to discredit his office or the school system, or for mental or physical inability to perform his duty as a member, but before the removal of such a member he shall receive a timely notice in writing of the charges and a copy thereof and shall be entitled to a hearing on like notice before the mayor and to the assistance of counsel on said hearing.

19—3. To be eligible for appointment to the board a person shall be at least twenty-five years of age, a citizen of the United States and shall have been a resident of the City of Chicago for at least five years immediately preceding his or her appointment.

19—4. Members of the board of education shall not while serving as such members hold any other public office under the federal, state, or any local government, other than that of notary public, or member of the national guard; but by accepting any such public office while members of the board of education, or by not resigning any such office held at the time of being appointed to the board of education within thirty days after such appointment, shall be deemed to have vacated their membership in such board.

19—5. No member of the board of education and no member of the department of education shall be interested in the sale, proceeds or profit of any books, apparatus, furniture, supplies, or other property real or personal used or to be used in, or in connection with, any of the public schools of the city. Any member of such board or department violating the provision of this section shall upon conviction thereof pay a fine in a sum of not less than \$25.00 nor more than \$500.00, and may be imprisoned in the county jail or house of correction for not less than one nor more than twelve months, in the discretion of the court.

19—6. Rules of the board of education shall be enacted or changed, moneys appropriated or expended, salaries fixed or changed, courses of instruction adopted or changed only at regular meetings of the board of education and by a vote of a majority of the full membership of the board, and upon such proposition and upon all propositions requiring for their adoption at least a majority of all the members of the board the ayes and nays shall be taken and recorded.

19—7. The board of education shall elect annually from its own number, a president and vice president in such manner and at such time after the yearly appointment of new members, and not later than the second regular meeting of the board after such appointment, as the board may determine by its rules. The president shall preside at the meeting of the board and shall have the same power to vote at such meetings as any other member, but shall not have the power of veto. He shall exercise a general superintendence over the affairs of the board and shall perform such duties as may be imposed upon him by the rules of the board. The vice president shall perform the duties of the president in case of the president's absence or inability to act and shall perform such other duties as may be imposed upon him by the rules of the board.

19—8. The board of education shall by a vote of a majority of the full membership of the board appoint as executive officers a superintendent of education, a business manager, and a secretary, and may also appoint or provide for the appointment of such other officers and employes as it may deem necessary.

19—9. The board shall, subject to the provisions of this charter, prescribe the duties, compensation and terms of office of all officers, but the term of office of no such officer shall exceed four years and the salary of no officer shall be lowered during his term of office, either by the board or by the city council, except by a pro rata reduction that may be necessary in case of a general reduction affecting all employes. The board shall also prescribe the duties and compensation of all employes of the department. It may prescribe which of its officers or employes as it may deem necessary.

19—10. The appointment and removal of the superintendent of

education and business manager and of the attorney and auditor (if any such officers shall be appointed) shall not be subject to the civil service law, but such officers shall be removable only for cause by vote of not less than a majority of all the members of the board upon written charges to be heard by the board upon due notice to the officers against whom they are preferred, but pending the hearing of such charges the officer charged may by a two-thirds vote be suspended by the board.

19—11. All appointments of employes of the board of education, except as herein otherwise provided, shall be made in pursuance of the provisions of the civil service law, and no employe shall be removed except for cause, upon written charges, which shall be investigated and determined by the board of education, whose action and decision in the matter shall be final, when approved by the civil service commission.

Teachers shall for this purpose not be held to be employes.

19—12. The title of all property, real and personal, held for the use or benefit of schools shall be vested in the City of Chicago in trust for the use of the schools.

19—13. The board of education may, with the concurrence of the city council, to be manifested by the passage of an ordinance for that purpose, acquire by purchase, condemnation or otherwise, real estate for school purposes, including school buildings, play grounds and offices for the board of education. Condemnation proceedings for the purpose of acquiring such property shall be conducted in the name of the City of Chicago for the use of the schools.

19—14. The board of education may rent buildings, rooms or grounds, or for the use of schools, or for the purpose of school administration, but it shall not take any lease or renewal thereof for a term longer than five years without the concurrence of the city council, nor alter the provisions of any lease heretofore or hereafter made whose unexpired term may exceed five years, without such concurrence.

19—15. The board of education shall have the power to let school property on leasehold for a term not longer than ninety-nine years from the date of granting the lease; but it shall not make or renew any lease for a term longer than five years without the concurrence of the city council, nor alter the provisions of any lease heretofore or hereafter

made whose unexpired term may exceed five years, without such concurrence.

19—16. The board of education may grant the use of assembly halls and class rooms when not otherwise needed, including light, heat and attendance, for public lectures, concerts and other educational and social interests, free of charge, but under such provisions and control as the board may see fit.

19—17. No sale of real property used for school purposes or held in trust for the schools shall be made by the city council except upon written request of the board of education. Personal property other than chattels real belonging to the department and no longer needed for its purposes may be sold under its direction.

19—18. All moneys raised by taxation for school purposes or received from the state common school fund or from any other source for school purposes, shall be held by the city treasurer, as a separate fund, for school purposes, subject to the order of the board of education upon a warrant of its president, to be countersigned by the mayor and city comptroller.

19—19. Investment of school funds shall only be made in government, state or municipal securities.

19—20. The mayor shall as often as yearly, and may as often as semi-annually, appoint certified public accountants to examine and audit the accounts of the board of education, and a report thereof, together with any recommendations of such accountants as to changes in the business methods of the board or any of its departments, officers, or employes, shall be made to the mayor, the city council, and the board of education, and be spread upon the records of the latter. The expense of such audit shall be paid by the board.

19—21. The board of education shall make an annual report to the city council.

19—22. The board of education shall exercise general supervision and management of the public education and the public school system of the City of Chicago and shall have power to make suitable provision for the establishment and maintenance throughout the year or for such portion of the year as it may direct of schools of all grades and kinds,

including normal schools, night schools, schools for defectives and delinquents, parental or truant schools, schools for the blind, the deaf and the crippled, schools or classes in manual training, constructional and avocational teaching, domestic arts and physical culture, vacation and extension schools and lecture courses and all other educational institutions and facilities. It shall have power to co-operate with the juvenile court and to make arrangements with the public or quasi-public libraries and museums for the purpose of extending the privilege of such libraries and museums to attendants of schools and the public in the neighborhood of the schools.

19—23. The board of education shall establish by-laws, rules and regulations for the proper maintenance of a uniform system of discipline and management of the schools, and may fix the school age of pupils, which in kindergarten schools shall not be under four years and in the grade schools shall not be under six years.

It shall have the power to expel any pupil who shall be guilty of gross disobedience or misconduct.

19—24. The board of education shall have continuing power to divide the city into sub-districts and apportion the pupils to the several schools, but no pupil shall be excluded from nor segregated in any such school on account of his or her race, color or nationality.

19—25. The board of education shall have power to prescribe the courses and method of studies in the various schools, subject to the general laws of the state.

19—26. The specification of the powers herein granted is not to be construed as exclusive, but the board of education shall exercise all powers that may be requisite or appropriate for the maintenance and fullest development of an efficient public school system.

19—27. The superintendent of education shall have general supervision, subject to the board, of the courses of study, text books, educational apparatus, discipline and conduct of the schools, and shall perform such other duties as the board may by rule prescribe.

Appointments, promotions and transfers of teachers, principals and assistant and district superintendents and other educational officers shall be made, and text books and educational apparatus shall be introduced by

the board of education only upon his recommendation, unless it be by a two-thirds vote of all the members of the board. Text books shall not be changed oftener than once in four years.

19—28. The superintendent of education shall have a seat in the board of education, but no vote.

19—29. The business manager shall have the general care and supervision of the property and routine business of the department of education. In matters affecting the general policy of his administration he shall be subject to the direction of the board. He shall, with the concurrence of the board of education, appoint his subordinates.

The board of education shall maintain a bureau of buildings and construction which shall have charge of the erection, construction, alteration and repair of all buildings under the control of the board of education. The board of education shall, subject to the provisions of the civil service law, appoint a chief architect, who shall be at the head of the bureau of buildings and construction, and also a chief engineer, who shall have charge of the matters relating to the heating, ventilating and sanitation of buildings. The architect and chief engineer shall be removed only in pursuance of the provisions of the civil service law. They shall be subject to the general direction of the business manager.

19—30. The board of education shall examine all persons offering themselves as candidates for teachers and when found well qualified shall give them certificates gratuitously. Appointments and promotions of teachers and principals shall be made for merit only, and after satisfactory service for a probationary period of three years appointments of teachers and principals shall become permanent, subject to the rules of the board concerning conduct and efficiency, and subject to removal for cause upon written charges after a hearing before the board of education or a committee appointed by the board; but the board need not retain in service more principals or teachers than in its judgment the needs of the school require.

19—31. The board of education shall have the power, subject to the power over appropriation vested in the city council, to prescribe the compensation of teachers and other educational officers. Such compensation shall be payable monthly.

19—32. The provisions of this act regarding education shall constitute a part of the law intended to provide for the City of Chicago a system of free schools; and shall be construed in connection with the general school law of the state. Except as by this act modified the provisions of the general school law shall apply to the City of Chicago and for the purpose of sharing in the distribution of the common school fund and other distributive funds, the schools of the city shall be deemed to be kept in accordance with the provisions of said law.

ARTICLE XX.

COMPULSORY EDUCATION.

20—1. Every person having control of any child between the ages of seven and sixteen years shall annually cause such child to attend some public or private school for the entire time during which the school attended is in session, which period shall not be less than one hundred and ten days of actual teaching; provided, this requirement shall not apply to any case where the child has been or is being otherwise instructed for a like period of time in each and every year in the elementary branches of education by a person or persons competent to give such instruction, or to any child whose physical or mental condition renders his or her attendance impracticable or inexpedient, or who is excused for temporary absence for cause by the principal or teacher in charge of the school which such child attends, or to any female child of the age of fourteen years and upwards whose services are required in her home and who is on that account excused from attendance by the board of education or by the superintendent or the principal of the parochial school which she has been attending before being so excused, or to any child of the age of fourteen years and upwards while such child is in good faith engaged in regular lawful employment which occupies him or her regularly not less than five hours daily for not less than five days in each week.

20—2. Every person or corporation employing a child of the age of fourteen years and upwards and under the age of sixteen shall forthwith report such employment to the board of education, together with the num-

ber of days in the week and the number of hours in the day during which such child will be regularly employed, and also such other particulars as the board of education may prescribe. When the employer ceases to employ such child regularly for the period of time above stated, he shall report the fact to the board of education.

The board of education shall keep blank forms of notices and reports at convenient places throughout the city for free distribution.

The board of education shall keep on file in its office copies of all age and school certificates issued by it and shall also procure and place on file copies of the age and school certificates issued by superintendents or principals of parochial schools and filed in duplicate in the office of the state factory inspector.

20—3. Any person violating any duty imposed upon him by the two foregoing sections and any person who for the purpose of evading the provisions of said sections shall make false statement concerning the age of any child or regarding the time such child has attended school, or concerning the fact or time or continuance of the employment of such child, shall be fined in a sum not exceeding twenty dollars for any one offense. Such fine shall be paid into the city treasury for the use of the department of education.

20—4. The board of education shall appoint one or more truant officers subject to the civil service rules, whose duty it shall be to report all violations of the law regarding compulsory school attendance to the board of education, and to enter complaint against and prosecute all persons who shall appear to be guilty of any violation of such law. It shall be the duty of said truant officers to arrest any child of school-going age that habitually haunts public places and has no lawful occupation, and also any truant child who absents himself or herself from school without being lawfully excused as aforesaid, and to place him or her in charge of the teacher or principal having charge of any school which said child is by law entitled to attend, and which school shall be designated to said officer by the parent, guardian or person having control of said child. In case such parent, guardian or person shall designate a school without making or having made arrangements for the reception of said child in the school so designated, or in case he refuses or fails to designate any school, then

such truant officer shall place such child in charge of the principal of a public school. And it shall be the duty of said principal to assign said child to the proper class, and to instruct him or her in such studies as he or she is fitted to pursue. The truant officer so appointed shall be entitled to such compensation for services rendered under this act as shall be determined by the board of education, and which compensation shall be paid out of the distributable school fund: Provided, that nothing herein contained shall prevent the parent, guardian or person having charge of such truant child, which has been placed in any school by the truant officer, to thereafter send said child to any other school which said child is by law entitled to attend.

20—5. Any child of compulsory school age who is habitually truant may be committed to a parental school in the manner hereinafter provided. Parental schools shall not be erected at or near any penal institution.

20—6. It shall be the duty of any truant officer or agent of such board of education to petition, and any reputable citizen of the city may petition, the county or circuit court of the county, to inquire into the case of any child of compulsory school age who is not attending school, and who has been guilty of habitual truancy, or of persistent violation of the rules of the public school, and the petition shall also state the names, if known, of the father and mother of such child, or the survivor of them; and if neither father nor mother of such child is living, or cannot be found in the county, or if their names cannot be ascertained, then the name of the guardian if there be one known; and if there be a parent living whose name can be ascertained, or a guardian, the petition shall show whether or not the father or mother or guardian consents to the commitment of such child to such parental or truant school. Such petition shall be verified by oath upon the belief of the petitioner, and upon being filed the judge of the county or circuit court shall have such child named in the petition brought before him for the purpose of determining the application in said petition contained. But no child shall be committed to such school who has ever been convicted of any offense punishable by confinement in any penal institution.

20—7. Upon the filing of such petition the clerk of the court shall

issue a writ to the sheriff of the county directing him to bring such child before the court; and if the court shall find that the material facts set forth in the petition are true, and if, in the opinion of the court, such child is a fit person to be committed to such parental or truant school, an order shall be entered that such child be committed to such parental or truant school, to be kept there until he or she arrives at the age of fourteen years, unless sooner discharged in the manner hereinafter set forth. Before the hearing aforesaid notice in writing shall be given to the parent or guardian of such child, if known, of the proceedings about to be instituted, that he or she may appear and resist the same, if they so desire.

20—8. It shall be the duty of the parent or guardian of any child committed to this school to provide suitable clothing upon his or her entry into such school, and from time to time thereafter as it may be needed, upon notice in writing from the superintendent or other proper officer of the school. In case any parent or guardian shall refuse or neglect to furnish such clothing, the same may be provided by the board of education, and such board may have an action against such parent or guardian of said child to recover the cost of such clothing, with ten per cent additional thereto.

20—9. No religious instruction shall be given in said school except such as is allowed by law to be given in public schools; but the board of education shall make suitable regulation so that the inmates may receive religious training in accordance with the belief of the parents of such children, either by allowing religious services to be held in the institution or by arranging for attendance at public service elsewhere.

20—10. The board of education shall have power to establish rules and regulations under which children committed to such parental or truant school may be allowed to return home upon parole, but to remain while upon parole in the legal custody and under control of the officers and agents of such school, and subject at any time to be taken back within the enclosure of such school by the superintendent or any authorized officer of said school, except as hereinafter provided; and full power to enforce such rules and regulations to retake any such child so upon parole is hereby conferred upon such board of education. No child shall be released upon parole in less than four weeks from the time of his or her

commitment, nor thereafter until the superintendent of such parental or truant school shall have become satisfied from the conduct of such child that, if paroled, he or she will attend regularly the public or private school to which he or she may be sent by his or her parents or guardian, and shall so certify to the board of education.

20—11. It shall be the duty of the principal or other person having charge of the school to which such child so released on parole may be sent, to report at least once each month to the superintendent of the parental or truant school, stating whether or not such child attends school regularly, and obeys the rules and requirements of said school; and if such child so released upon parole shall be regular in his or her attendance at school and his or her conduct as a pupil shall be satisfactory for a period of one year from the date when he or she was released, on parole, he or she shall then be finally discharged from the parental or truant school, and shall not be recommitted thereto except on petition as hereinbefore provided.

20—12. In case any child released from said school upon parole, as hereinbefore provided, shall violate the conditions of his or her parole at any time within one year thereafter, he or she shall upon the order of the board of education, as hereinbefore provided, be taken back to such parental or truant school, and shall not be again released upon parole within the period of three months from the date of such re-entering; and if he or she shall violate the conditions of a second parole, he or she shall be recommitted to such parental or truant school and shall not be released therefrom on parole until he or she shall remain in such school at least one year.

20—13. In any case where a child is found to be incorrigible and his or her influence in such school to be detrimental to the interests of the other pupils, the board of education may authorize the superintendent or any officer of the school to represent these facts to the circuit or county court by petition; and the court shall have authority to commit said child to some juvenile reformatory.

ARTICLE XXI.

THE PUBLIC LIBRARY.

21—1. The public library of the City of Chicago shall be managed by a library board of nine directors, who shall be appointed by the mayor, with the approval of the city council, and who shall serve without compensation.

21—2. The directors of the public library holding office at the time this charter takes effect shall continue in office until the expiration of their respective terms. The successors of the three directors whose term of office expires within one year after this charter takes effect shall be appointed for a term of two years; the successors of the three directors whose term expires within the next year following shall be appointed for a term of three years, and the successors of the three directors whose term expires within one year thereafter (having been in office when this charter takes effect, or having been appointed to fill vacancies in the places of directors who shall have been then in office) shall be appointed for a term of four years, and upon the expiration of the term of each director appointed under this charter his successor shall be appointed for a term of six years.

21—3. The library board shall have power to elect one of its number as president and may provide for such other officers as they may deem necessary. It shall make and adopt by-laws, rules and regulations not inconsistent with law for its own guidance and for the government of the library and reading rooms, as may be expedient. It shall have exclusive control of the expenditure of all moneys collected to the credit of the library fund, of the construction of any library buildings, and of the supervision, care and custody of the grounds, rooms or buildings constructed, leased or set apart for that purpose. All moneys received for the use of the library shall be deposited in the city treasury to the credit of the library fund and shall be kept separate and apart from other moneys of the city and shall be drawn upon only by warrants signed by the Mayor and city comptroller and the president of the library board.

21—4. The library board shall have power to establish branch

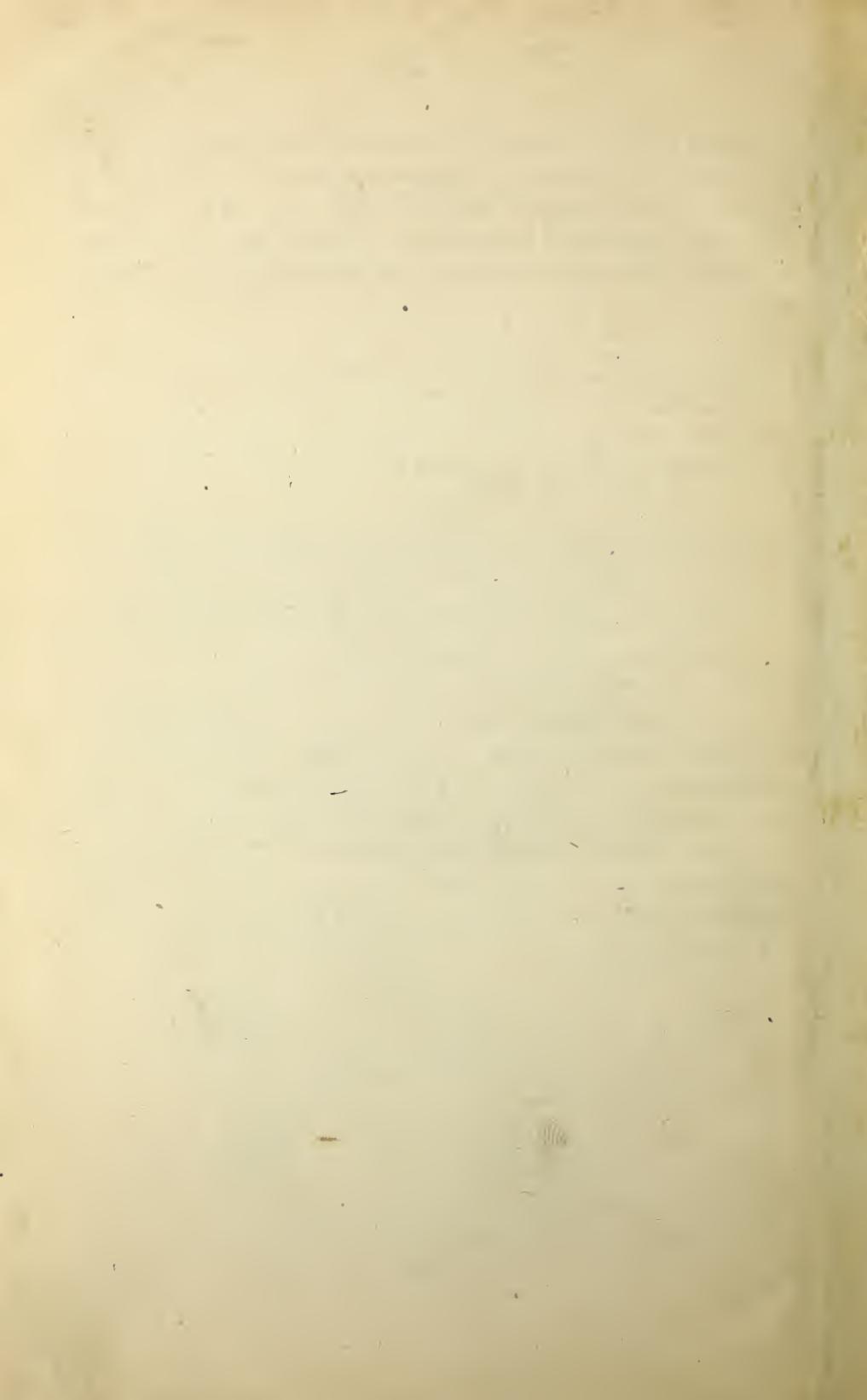
libraries and reading rooms within the city. It shall have power to appoint or make provisions for the appointment of a librarian and secretary and other suitable employes, and all employes, except the chief librarian and secretary, shall be subject to the civil service law.

21—5. The library and its reading rooms shall be forever free to the use of the inhabitants of the city, subject to such reasonable rules and regulations as the library board may adopt in order to render the use of such library and reading rooms of the greatest benefit to the greatest number, and the board may exclude from the use of the library and reading rooms any persons who shall wilfully violate such rules. The board may extend the privileges of the use of the library and reading rooms to persons residing outside of the city upon such terms and conditions as said board may from time to time by its regulations prescribe.

21—6. The said library board shall in connection with its annual report to the city council, state the condition of its trust, the number of books and periodicals on hand, the number added by purchase, gift, or otherwise, during the year, the number lost or missing, the number of visitors attending, the number of books loaned out, and the general character and kind of such books; with such other statistics, information and suggestions as it may deem of general interest. All such portions of said report as relate to the **receipt and expenditure of money, as well as the** number of books on hand, books lost or missing, and books purchased, shall be verified by affidavit.

21—7. The city council shall have power to pass ordinances imposing suitable penalties for the punishment of persons committing injury upon such library or the grounds or other property thereof, and for injury to or failure to return any book belonging to such library.

21—8. Any person desiring to make donations of money, personal property or real estate for the benefit of such library, shall have the right to vest the title of the property so donated in the City of Chicago or in the library board, to be held in the custody of and controlled by such board, when accepted according to the terms of the deed, gift, devise or bequest of such property; and as to such property the said board shall be held and considered to be special trustees.



UNIVERSITY OF ILLINOIS-URBANA



3 0112 063307869